United Nations A/64/275

General Assembly

Distr.: General
10 August 2009

Original: English

Sixty-fourth session
Item 55 (a) of the provisional agenda*
Sustainable development: implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

Implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21 and the outcomes of the World Summit on Sustainable Development

Report of the Secretary-General

Summary

The present report, prepared pursuant to General Assembly resolution 63/212, provides an update on the implementation of Agenda 21 and the Johannesburg Plan of Implementation, together with actions taken by Governments, organizations of the United Nations system and major groups in advancing the implementation of sustainable development goals and targets, including through partnerships for sustainable development. The report also includes views of Member States regarding a possibility of convening a high-level event on sustainable development.

* A/64/150.

09-45210 (E) 020909

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I. Introduction

1. In its resolution 63/212, the General Assembly called for the effective implementation of the commitments, programmes and time-bound targets adopted at the World Summit on Sustainable Development and for the fulfilment of the provisions relating to the means of implementation, as contained in the Johannesburg Plan of Implementation; reiterated that the Commission on Sustainable Development is the high-level body responsible for sustainable development within the United Nations system, which serves as a forum for the consideration of issues related to the integration of the three dimensions of sustainable development.

2. The present report has been prepared pursuant to resolution 63/212 in order to provide an update on progress made in implementing that resolution. It should be read in conjunction with other reports submitted under the agenda item on sustainable development.

II. Overview

3. The present report is being written at the critical moment. In 2008, the world economy was affected by a succession of crises, which threaten to reverse progress on all key dimensions of sustainable development, including a slowdown in the rate of growth of the world economy, disproportionately adverse impacts on developing countries, and the rapid escalation of challenges emanating from natural resources: climate, energy, water and land. As a result, progress on the goals of Agenda 21, the Johannesburg Plan of Implementation and the Millennium Summit has been placed in jeopardy, after steady declining trend poverty rates have begun to inch up again, the incidence of hunger and malnutrition has increased, and the achievement of the Millennium Development Goals is threatened. On the other hand, the succession of crises has led to an enhanced political commitment to these goals.

4. A careful reading of Agenda 21 shows that the drafters viewed it (and by that token the concept of sustainable development) as a bridge between otherwise distinct and occasionally even opposing elements. Most explicitly, it is designed as a bridge between environment and development, but it is more than that. It is also a bridge between the public and private sectors (the concept of public/private partnership first emerged in the context of sustainability concerns), between Governments and civil society, between global and national goals, between current and future generations, between knowledge and action, and between developed and developing countries. As such, an assessment of the implementation of Agenda 21 has to follow two paths; the first on the stated goals of the agenda, and the second on its aspiration to bring diverse agendas together.

5. Sustainable development starts with a conundrum. In a finite planet, the continued growth in the use of materials or throughput will eventually lead to ecological disaster; but conventional economic growth is absolutely essential at least until the large differences between developed and developing countries — in incomes, quality of life, human development indicators, and levels of poverty and deprivation — are bridged. In the first instance, the concept proposes that the unfinished agenda of development be completed apace, but in a manner that

minimizes the pressure on natural resources and starts laying the foundation of the transition to a sustainable society.

6. Going beyond this level, however, it also seeks to show that the development agenda and the sustainability agenda are not in conflict. In fact, the more speedily the unfinished agenda of development and poverty eradication is completed, the more quickly can there be a transformation towards a sustainable society. As the report of the World Commission on Environment and Development (Brundtland Commission report), "Our common future", puts it,

> "Growth has no set limits in terms of population or resource use beyond which lies ecological disaster. Different limits hold for the use of energy, materials, water and land. Many of these will manifest themselves in the form of rising costs and diminishing returns, rather than in the form of any sudden loss of a resource base. The accumulation of knowledge and the development of technology can enhance the carrying capacity of the resource base. But ultimate limits there are, and sustainability requires that long before these are reached, the world must ensure equitable access to the constrained resource and reorient technological efforts to relieve the pressure".[1]

7. The following pages try to provide a snapshot picture of the progress achieved in the three dimensions listed above. At the outset, however, a few general remarks are needed on the progress made with regard to the aspiration of bridging different goals and communities. This progress is demonstrable through a review of the evolution of the concept and practice of sustainable development over the years. In practice, this idea has traced a fairly standard trajectory in different countries as well as at the national level. This trajectory comprises three distinct phases with increasing degree of coherence. These phases are:

(a) *The environmental phase (1948-72)*: in the first phase, specific environmental goals begin to be championed by concerned citizens and policy makers, most commonly in the area of pollution abatement. After the publication of Rachel Carson's seminal treatise, *Silent Spring* in 1962, this phase led to a raft of environmental legislation, creation of environmental institutions, and a concerted rise in activism;[2]

(b) *The environment and development phase (1972-2009)*: the environmental phase culminated in 1972, with the convening of the United Nations Conference on the Human Environment in Stockholm, in which the links between environment and development were first recognized explicitly. Subsequent efforts sought a balance between environment and development, often by analysing trade-offs and proposing ancillary actions (especially finance and technology support) to offset them. This integration was pursued most concretely in the United Nations Conference on

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[1] "Our common future", report of the World Commission on Environment and Development, transmitted to the General Assembly as an annex to document A/42/427 entitled "Development and international co-operation: environment", chap. 2, para. 10.

[2] The date 1948 is chosen to reflect the establishment of perhaps the leading environmental organization of its time, IUCN. It is true, however, that there was a "pre-history" in the form of the wilderness movement, scientific management, and wildlife conservation. However, these were motivated largely by quality of life concerns, unlike the modern sustainability movement, which is motivated in significant part by the threat posed to survival of life, including human life, on the planet.

Environment and Development, which set out the goals in detail in Agenda 21, and initiated the process of conceptualizing sustainable development;

(c) *The sustainable development proper phase (2009-)*: in practice, there has been limited success in bridging the gulf between different agendas. However, for reasons that are laid out below, there are indications of intellectual and policy development that can help to usher in the next phase in this evolution, where the core idea of sustainable development can come into its own. The core idea is not only to integrate and combine environment and development in a synergistic manner, but effectively to mainstream the sustainability considerations into economic and developmental decision-making, and indeed to ensure that all development actions are approached through the prism of sustainability.

8. This pattern is evident in each individual country as well as at the global level. It also shows clearly the signs of progress. While the United Nations Conference on the Human Environment was planned as the conference on the human environment, its key message was about the integration of environment and development, which in turn became the title of the Rio Conference. Rio gave substance to the questions that Stockholm had raised two decades earlier. But Rio too was ahead of its time, and it ended up raising its own set of questions about how to mainstream sustainability into development. A first attempt at answering these questions took place a decade later in the World Summit on Sustainable Development, held in Johannesburg, which crafted an agreement on the systematic monitoring of the implementation of Agenda 21, but much more is needed. As will be evident in the progress report contained in tables 1 to 5 below, many trends are pointing in the adverse direction. More importantly, the key question, namely progress in the ability to unify diverse agendas, still remains unanswered.

9. It may also be noted here that policy discussions of governance too have followed the above trajectory, but with a lag. In the first phase of environmental advocacy, there was no discussion of governance; the discussion was mainly on how to fit environmental issues within existing governance systems. Governance issues started mainly in the second phase, when environment and development concerns were brought together, but their focus has remained exclusively on environmental governance. In 2009, the discussion has already taken on the more integrative question of governance for sustainable development.

10. As the twentieth anniversary of the Rio Conference approaches, the combination of economic and climate crises have not only made it urgent to find the answers to Rio's questions, they have in some sense brought the world closer to the answers. The responses to these crises already show signs of the intellectual and political fertility that characterized the five-year period between the publication of the Brundtland Commission report in 1987 and the Rio Conference in 1992. That period produced the frameworks and concepts (e.g., common and differentiated responsibilities, the precautionary principle, the sustainability assessment, sustainable development strategies, footprints, public/private participation, prior informed consent, corporate responsibility, and many others) that continue to guide national and global policy. Likewise, the economic crisis and the economic stimulus packages have led to the articulation of innovative concepts — such as the green new deal and green growth — which are the means of mainstreaming ecological concerns into the very fabric of economic decision-making, and which could lead to a new round of policy innovation.

11. While the financial crisis originated in developed countries, developing countries are being hit hard as well through capital reversals, rising borrowing costs, collapsing world trade and commodity prices, and subsiding remittance flows. In the baseline scenario, world income per capita is expected to fall by 3.7 per cent in 2009 in developed economies, but also in a large number of developing countries. The unprecedented fiscal stimulus packages in developed economies have raised concerns of reduced funds for official development assistance (ODA). In a recent study, the United Nations Conference on Trade and Development (UNCTAD) found that ODA efforts from countries that suffered banking crises declined significantly. Additionally, many donor countries set their aid targets as a percentage of gross domestic product (GDP); as GDP falls, aid may follow suit. It is therefore important for the international community to hold itself accountable to its aid commitments to keep the Millennium Development Goals alive and prevent developing countries from losing the progress they have gained thus far, especially since ODA has been increasingly used for health, education and other social purposes.

12. The shortage of affordable financing will also have major repercussions for infrastructure spending, which is critical for longer-term sustainable development. Investments in public and private infrastructure projects in sub-Saharan Africa and Latin America declined substantially after various crises and fiscal adjustments in the 1980s and 1990s, while infrastructure investment also dropped substantially after the financial crisis of the late 1990s in East Asia and had not recovered to pre-crisis levels by 2007. Maintaining, constructing or rehabilitating much-needed public infrastructure is critical to sustained development and growth, including by influencing the location of new private sector activities.

13. One innovative response is the idea of a "global green New Deal", which could make a major contribution to reviving the world economy, saving and creating jobs, and protecting vulnerable groups. It should promote sustainable and inclusive growth and the achievement of the Millennium Development Goals, especially ending extreme poverty by 2015. Also, it must reduce carbon dependency and ecosystem degradation — these are key risks along a path to a sustainable world economy. But at the same time significant structural changes are necessary in international and domestic policy architectures. The fiscal stimulus (to be applied over 2009 and 2010) should prioritize energy efficient buildings and investments in sustainable transport and renewable energy. Developing countries should prioritize investment in agricultural productivity measures, freshwater management, and sanitation, as these have demonstrable and exceptional social returns. Domestic policy responses should be based on effective monitoring and accountability and integrate the principles of environmental accounting. International policy architecture needs attention in the areas of trade, aid, carbon pricing and technology and policy coordination. This has also been confirmed in the outcome document of the Conference on the World Financial and Economic Crisis and Its Impact on Development, where it has been acknowledged that

> "the response to the crisis presents an opportunity to promote green economy initiatives. In this regard, we encourage the utilization of national stimulus packages, for those countries in a position to do so, to contribute to sustainable development, sustainable long-term growth, promotion of full and productive employment and decent work for all and poverty eradication. It is important that global green initiatives and proposals be inclusive and address sustainable development and environmental challenges and opportunities including

climate change mitigation and adaptation, financing and technology transfer to developing countries and sustainable forest management" (General Assembly resolution 63/303, para. 32).

14. Besides the financial and economic crisis, minds have been focused also by the urgency of the climate threat. Although it was inevitable that the process of unlimited growth would eventually hit against the finite limits of the biosphere, the climate crisis has arrived perhaps a bit too soon. It might have been far more manageable if it had struck after the major development goals had been achieved and all countries had risen to comparable levels of income and well-being. In that event, the simple application of market instruments to internalize the externality could have led to a gradual abatement of greenhouse gases. However, given that the crisis has arrived at a point when the development agenda is still far from completed, it has necessitated a search for solutions that could integrate climate and development goals. In the future, as other planetary boundaries become binding, they too will necessitate the formal mainstreaming of sustainability into development. However, to repeat the message of the Brundtland Commission report, sustainability requires that long before these ultimate limits are reached, the world must ensure equitable access to the constrained resource and reorient technological efforts to relieve the pressure.

15. For these reasons, the present report is a timely one. In looking back, there is no option but to describe progress or regress on Agenda 21 in a fragmented manner, chapter by chapter, and with separate treatments for environment and development goals, albeit with a number of cross-linkages and connections. But in looking ahead, there are indications of a step jump towards concretizing and identifying the integrated agenda of sustainable development mainstreamed into economic and developmental decision-making.

16. Turning to the progress report, the broad principle of sustainable development was translated into a concrete framework in Agenda 21, with three explicit dimensions: outcomes, institutional capacity, and action. In recent literature, the term "ecological modernization" has been used to describe a society's progress in all three dimensions. The report will follow the following structure:

(a) *Outcomes*: the first dimension refers to the concrete sectoral targets set out in sections I and II of Agenda 21. For ease of reference, the progress report is further subdivided into (i) sustainable human development (covered in section I of Agenda 21); and (ii) conservation and management of resources for development; and (iii) environmentally sound management of toxic chemicals, hazardous wastes, solid wastes and sewage-related issues, and radioactive wastes (the latter two are section II of Agenda 21);

(b) *Institutions and governance*: these goals are covered in section III of Agenda 21, and refer to the evolution of governance capacity, including those of major groups, to contribute towards the achievement of sustainable development;

(c) *Actions*: section IV of Agenda 21 is entitled "Means of implementation". It lays out the menu of options available to Governments and the international system to achieve the goals.

17. In each section, an overall succinct assessment is presented in tabular form, elaborated in subsequent paragraphs where needed. The tabular presentation gives a snapshot of the major positive and negative developments on each theme identified

in Agenda 21. It also provides references and links to background papers or external publications, to enable the reader to follow up for more information.

18. The upshot is that in the last 20 years, significant progress has been made in the area of sustainable development. Most national Governments have begun to incorporate sustainable development into their planning and policy. Pro-active businesses across the globe have brought sustainability to their products and processes. Local initiatives have had success in informing citizens on sustainable development. However, in spite of these efforts, putting the principles of sustainable development into practice and achieving a goal of mainstreaming sustainable development into the overall development agenda has proven to be anything but simple or straightforward. This has proven to be even more difficult as the international community is tackling challenges arising from multiple crises.

A. Outcomes

1. Sustainable human development

Table 1
Outcomes in sustainable human development

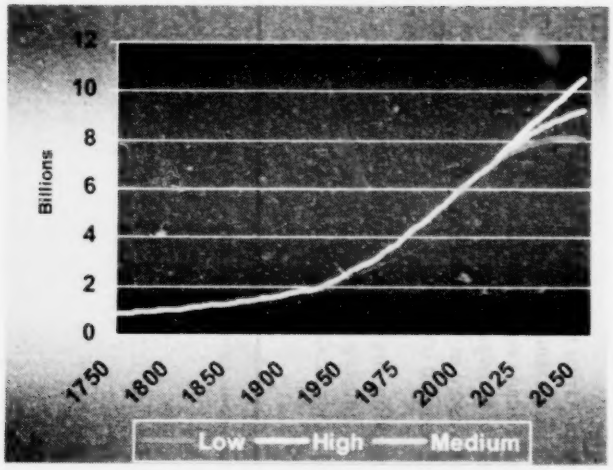
Agenda 21 chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
3	Combating poverty	From 1990 to 2005, the number of people in extreme poverty decreased from 1.8 billion to 1.4 billion. There was a dramatic decline in the poverty rate in Eastern Asia — in large part owing to rapid economic growth in China, which helped lift 475 million people from extreme poverty.	Between 2008 and 2009, the number of people living in extreme poverty — on less than $1.25 a day in 2005 prices — rose from 915 million to 1.02 billion, which is 55 million-90 million higher than the estimates made before the global economic crisis. Many countries are not on track to achieve the Millennium Development Goals. In sub-Saharan Africa and Southern Asia, both the number of poor and the poverty rate are expected to increase further. Although the overall poverty rates in the developing world will still fall in 2009, but at a much slower pace than before the downturn.	Food and Agriculture Organization of the United Nations (2009), United Nations Development Programme (2009), Millennium Development Goals Report 2009

Agenda 21 chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
4	Changing consumption patterns	A number of initiatives have emerged to guide action: (a) analytical constructs, such as the Factor Four and Factor Ten approaches, (b) institutional arrangements, especially corporate responsibility, and (c) the policy process, including under the Marrakech Process and Ten-Year Framework of Programmes on Sustainable Consumption and Production. This process, led by the United Nations Environment Programme (UNEP) in collaboration with the Department of Economic and Social Affairs, has promoted regional sustainable consumption and production programmes or action plans (in Mauritius, Senegal, Indonesia, the United Republic of Tanzania, Egypt, Mozambique, Colombia, Brazil and Ecuador), national sustainable consumption and production round tables in emerging economies (China, India, Brazil and South Africa),[a] the development of sustainable consumption and production tools, support for capacity-building and project implementation in Africa and Latin America, and task forces for the following areas: cooperation with Africa; sustainable products; sustainable lifestyles; sustainable public procurement; sustainable tourism; sustainable buildings and construction, and education for sustainable consumption.	Global Footprint increased from 1 per cent of available resources in 1990 to 2.7 per cent in 2008.	Global Footprint UNEP Department of Economic and Social Affairs
5	Demographic dynamic and sustainability	Global average population growth rate declined from 2-1.4 per cent per year; fertility declined from over 6 in the 1960s to 3 per woman today; and projection of steady state population level revised downward to 9 billion by 2030 (see figures I and II).	Strictly speaking, sustainability in a finite planet requires a stable population. However, the global population is still growing albeit at a slower rate than in earlier projections. There are currently 6.8 billion people in the world.	United Nations Population Fund (2009)

Agenda 21 chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
6	Protecting and promoting human health conditions	Under-five mortality declined from 93 deaths per 1,000 live births in 1990 to 67 in 2007, i.e., from 12.6 million children to around 9 million today, despite population growth.[b] Malaria incidence has declined in 27 countries. The number of HIV-infected people has declined since 1996 to 2.7 million in 2007. AIDS deaths peaked in 2005 at 2.2 million and declined since then to 2 million in 2007. Between 1998 and 2000, 23 countries registered an increase (of two or more years) in life expectancy at birth while 21 countries registered a decline.	Maternal mortality has not declined in developing countries. There are 450 maternal deaths per 100,000 women in developing countries; 88 per cent of deaths due to malaria happen in sub-Saharan Africa. Tuberculosis incidence is rising again, from 8.3 million new cases in 2000 to 9.2 million in 2006 and 9.3 million in 2007. Most of the cases in 2007 occurred in Asia (55 per cent) and Africa (31 per cent).[b]	Millennium Development Goals Report 2009 World Health Organization, 2009
7	Promoting sustainable human settlement development	The percentage of developing country urban population living in slums declined from 50 per cent in 1990 to 36 per cent in 2005. The lives of slum-dwellers have improved in all regions except in sub-Saharan Africa and Western Asia. Notable is the increased use of improved water supplies and sanitation in China. In regions where the majority of slum-dwellers suffer from only one shelter deprivation, simple, low-cost interventions could significantly improve conditions.	Sub-Saharan Africa has still the highest prevalence of slums. Improvements in most sub-Saharan African countries will require large multisectoral investments. Slum population increased in Western Asia, largely as a result of war and conflict. Notwithstanding improvements in slums worldwide, the housing and energy crisis may slow progress and, in some cases, reverse positive trends.[c]	Millennium Development Goals Report 2009 United Nations Human Settlements Programme, 2009

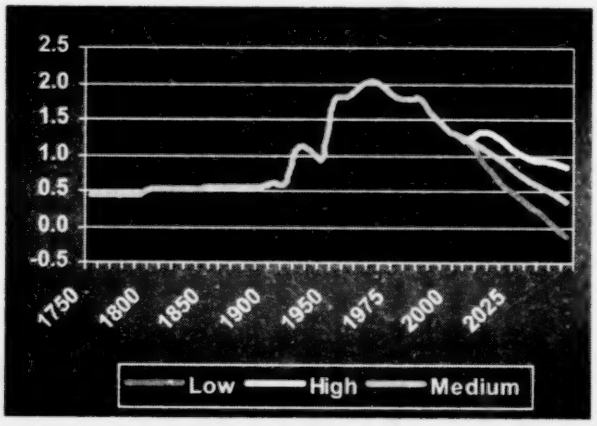
[a] For more information on the national activities and outcomes, see http://www.unep.fr/scp/marrakech/consultations/national.
[b] United Nations, The Millennium Development Goals Report 2009, New York, 2009.
[c] Ibid., and UN-Habitat, Annual Report 2008.

Figure I
World population, 1750-2050



Source: Division for Population and Development, Department of Economic and Social Affairs.

Figure II
Growth rate of world population, 1750-2050



Source: Division for Population and Development, Department of Economic and Social Affairs.

2. Conservation and management of resources for development

Table 2
Outcomes in conservation and management of resources for development

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
9	Protection of the atmosphere	The Intergovernmental Panel on Climate Change (IPCC) assessment of the huge climate literature has been welcomed by policymakers. Many countries adopted national climate plans. Pilot programmes in energy efficiency and renewable energy could provide elements of a solution. Investment in renewable energy exceeded that in conventional energy for the first time in 2008. Many cities converted their vehicle fleets to compressed natural gas (CNG). The Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention) will enter into force in October 2009. It will help to identify the largest polluters in communities across Europe. Since 1985, when depletion of the stratospheric ozone layer was recognized as an important problem, efforts have been made to reduce and eliminate the use of chlorofluorocarbons (CFCs) and other ozone depleting substances. By 2003, developed countries had reduced consumption of CFCs by over 99 per cent and developing countries by over 50 per cent. Taking into account the response lags, the CFC concentration in the stratospheric ozone layer will revert to pre-1980 levels by the middle of this century.[a]	GHG emissions are growing at the upper boundary of earlier IPCC projections. Under current trends, emissions will increase by 45 per cent by 2030, which could lead to a 6° C increase in the global average temperature. Kyoto protocol targets are not yet nationally met and there is still no agreement about the next round of Kyoto commitments or cooperative action. Particulate concentrations are still very high in large cities in developing countries whose economies are growing yet are still in the process of introducing pollution control measures. Energy demands grows from 2006-2013 by 45 per cent. Fossil fuels are projected to continue to contribute 80 per cent of energy consumed until 2030.	IPCC IEA — *World Energy Outlook 2008* United Nations Global Compact Annual Review, 2008

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
	Energy	Demand for energy has slowed owing to higher energy prices and slow economic growth, but it is still projected to grow from 2006-2013 by 45 per cent.[b] Fossil fuels will continue to constitute 80 per cent of energy consumed in 2030, even though modern renewable technologies are growing more rapidly than any other source worldwide at an average rate of 7.2 per cent per year. Two thirds of poor households still do not have access to electricity and three quarters do not have access to clean fuels for cooking; the numbers are projected to rise by 2030.[b]	The world energy system is at a crossroads. Current global trends in energy supply and consumption are unsustainable in all three aspects. What is needed to reverse these trends is securing the supply of reliable and affordable energy and effecting a rapid transformation to a low-carbon, efficient, and environmentally benign system of energy supply.	
10	Integrated approach to the planning and management of land resources	Several projects in developing countries help to develop and build capacity in cadastre, land administration, secure land tenure, application of advanced technology in land administration, and community development. An example is the World Bank Rural Land Resources Management Programme. The Global Environment Facility (GEF) has allocated $332 million in incremental resources to leverage $2.3 billion in co-financing for 88 projects to combat land degradation. At the international level a number of policy options have been adopted by the Commission on Sustainable Development at its seventeenth session.	5.8 million km^2 of land is degraded by deforestation; 6.8 million km^2 by overgrazing; 1.37 million km^2 for fuel wood; 5.5 million km^2 due to agriculture mismanagement; and 195,000 km^2 for industry and urbanization.	Commission on Sustainable Development United Nations Convention to Combat Desertification World Bank FAO GEF, 2009

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
11	Combating deforestation	Between 2000 and 2005, global forest cover declined by 13 million hectares (ha) per year, offset partially by 5.7 million hectares of increased cover (significantly in China). The resulting net annual decline of 7.3 million hectares is lower than 8.9 million hectares lost per year during 1990-2000. Several innovative instruments, including payments for ecosystem services, are being more widely used to protect forests. Reducing emissions from deforestation and forest degradation (REDD) could capture as much as 83.6 billion tons of carbon dioxide from the atmosphere between now and 2030.	Deforestation accounts for 35 per cent of carbon emissions in developing countries and 65 per cent in least developed countries.	FAO, *State of the World's Forests*, 2009 Department of Economic and Social Affairs/Division for Sustainable Development, *Trends in sustainable development 2008-2009* United Nations-Department of Economic and Social Affairs *Policy Brief* No. 16, "Forests: the Green and REDD Climate Change" (April 2009)
12	Managing fragile ecosystems: combating desertification and drought	The most recent analyses indicate a greening of most of the Sahel region since the early 1990s. At the international level a number of policy options have been adopted by the Commission on Sustainable Development at its seventeenth session, including the mainstreaming of national action plans prepared by almost all affected countries into national sustainable development strategies, and strengthening of the knowledge and information base. Over the last three years, the World Food Programme (WFP) invested $300 million in programmes to protect fragile ecosystems, e.g., through the construction or rehabilitation of ponds, wells, irrigation systems and dykes.	Drylands cover roughly 40 per cent of the Earth's land surface and are inhabited by over 2 billion people, approximately one third of the world's population. Sub-Saharan African and Central Asian drylands are among the most vulnerable to climate change, especially the corridor from Mali to Ethiopia. Climate change can heighten the risk of drought and desertification.	United Nations Convention to Combat Desertification, Department of Economic and Social Affairs/Division for Sustainable Development, *Trends in sustainable development 2008-2009*

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
13	Managing fragile ecosystems: sustainable mountain development	Mountains cover 25 per cent of the Earth's surface and are home to 12 per cent of the world's population, contribute 50 per cent of the planet's fresh surface water, and host half of 34 global biodiversity hot spots. Protected mountain areas have increased sixfold to eightfold in the last 40 years and cover 11.4 per cent of all mountain area.	Biodiversity in mountains is being threatened by climate change and the unsustainable use of mountain resources, including through deforestation and the pressure of tourism. Some 270 million rural mountain people are at risk of hunger.	FAO International Centre for Integrated Mountain Development International Partnership for Sustainable Development in Mountain Regions
14	Promoting sustainable agriculture and rural development	The Commission on Sustainable Development at its seventeenth session reached a landmark agreement on investing in a sustainable green revolution, especially in Africa, and especially to assist small farmers and women farmers. The decision includes a call for enhancement of investment (including from the public sector and with ODA support) in agricultural infrastructure, research, extension, and marketing, and for support of scaling up of successful practices. Global crop production in 2008 was 610 million metric tons and is predicted to rise to 656 million in 2009-2010. Government spending on agriculture in developing countries has increased by 3 per cent annually from 1980-2005, especially because of increased allocations (4.5 percent annual growth) in Asia and sub-Saharan Africa. Global agreements have mobilized financial support for food security, including for the stimulation of agriculture in developing countries. FAO programmes provide technical support for production intensification, as well as responses to price increases.	The 2008 food price increase resulted in an increase in hunger. In many African countries, spending on agriculture is well below the 2003 Maputo Declaration target of 10 per cent of budgetary allocations. The stalled Doha Development Round was expected to open agricultural markets in developed countries to developing country farmers.	FAO International Fund for Agricultural Development Millennium Development Goals Report 2009

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
15-17	Conservation of biological diversity, biotechnology, protection of the oceans	Besides its intrinsic benefits, biodiversity provides such critical services as water management and purification, soil conservation, carbon storage and reduced vulnerability to floods, droughts and landslides. The General Assembly has designated 2010 as the International Year of Biodiversity. The proposed agreement on an international regime of access and benefit sharing at the forthcoming Conference of Parties to the Convention on Biological Diversity could help to recompense local communities for their genetic resources, and create incentives for biodiversity conservation. UNEP has facilitated the consultative process to improve science-policy interface for biodiversity. Protected areas are the cornerstone of efforts to conserve species and ecosystems. Only 18 million km^2 of land and 3 million km^2 of territorial waters (totalling 12 per cent of the Earth's land area and 1 per cent of marine area) was under some form of protection by 2008 (see figure III). Aquaculture is the fastest growing animal food-producing sector, outpacing population growth in both production and employment to raise per capita supply by 6.9 per cent annually from 0.7 kg in 1970 to 7.8 kg in 2006.	The World Conservation Union's Red Index List reports that 869 species are extinct or extinct in the wild; this figure rises to 1,159 if the 290 Critically Endangered species tagged as possibly extinct are included. Overall, a minimum of 16,928 species are threatened with extinction. Not all protected areas are properly managed or are able to resist the assault from pollution, climate change, irresponsible tourism, infrastructure development and increasing demands for land and water resources. Sustained investments are needed to effectively conserve biodiversity, both inside and outside of protected areas.[c] Less than 1 per cent of the world's ocean body is protected. The International Maritime Organization (IMO) continues to be active in designating Special Areas under the MARPOL Convention and particularly sensitive sea areas as needed to protect against damage from international shipping. It is also currently developing international measures for minimizing the translocation of invasive aquatic species through biofouling on ships.	Convention on Biological Diversity FAO UN-OCEANS World Conservation Union IMO Millennium Development Goals Report 2009

Agenda 21 Chapter	Title	Positive trends	Negative trends	Source
		GEF has created 26 trust funds totalling more than $300 million to sustain investments in 800 biodiversity projects in 150 countries, creating or managing 1,600 protected areas covering 360 million hectares, incorporating biodiversity protection over more than 100 million hectares of productive lands. Recent advances in food biotechnology, including improvements in industrial process technology and control systems as well as techniques to monitor food safety and nutritional quality, are likely to play an increasingly important role in the food supply, especially in the light of the recent food crisis. The Cartagena Protocol on Biosafety of 2000 seeks to ensure that technological advances can be utilized while respecting human health and environment. The Protocol enables developing countries to develop biosafety frameworks and associated regulations and policies based on country circumstances and national and sector priorities. FAO provides support for the sustainable use of plant genetic resources and ecosystem services. FAO also provides technical support for limiting the use of pesticides. The International Federation of Organic Agriculture Movements (IFOAM) has 750 member organizations in 108 countries. The United Nations World Tourism Organization supports poverty reduction through sustainable tourism, including the Global Baseline Criteria for Sustainable Tourism, the World Heritage Tourism Policy as well as climate change awareness, capacity-building on adaptation and mitigation in the tourism sector.	Marine species are threatened by over-fishing, climate change, invasive species, coastal development and pollution. The percentage of depleted, fully exploited or overexploited and recovering fish species has increased from 70 per cent in 1995 to 80 per cent in 2006. At least 17 per cent of the 1,045 shark and ray species, 12.4 per cent of groupers and six of the seven marine turtle species are threatened with extinction. Of the 845 species of reef building corals, 27 per cent are threatened, and another 20 per cent are near-threatened. 27.5 per cent of marine birds are threatened with extinction, compared with 11.8 per cent of terrestrial birds. A significant proportion of species that are currently not threatened with extinction are susceptible to climate change. This includes 30 per cent of non-threatened birds, 51 per cent of non-threatened corals and 41 per cent of non-threatened amphibians.	

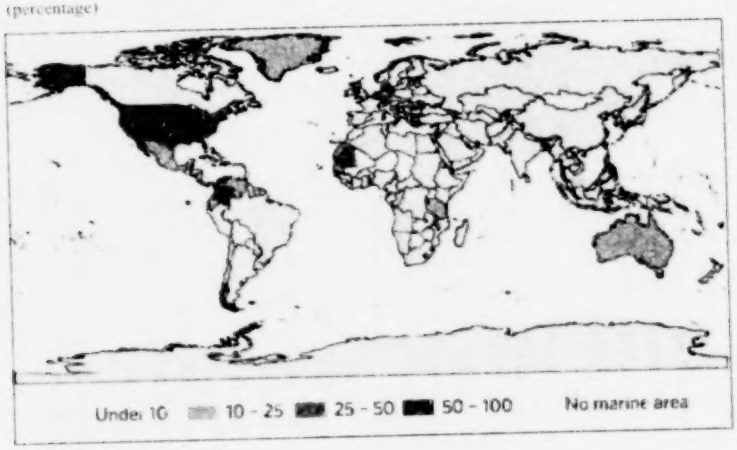
Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
18	Protection of the quality and supply of freshwater resources: application of integrated approaches to the development, management and use of water resources	The volume of freshwater resources is around 35 million km^3, or about 2.5 per cent of the total volume of water. Globally, agriculture accounts for 69 per cent of water withdrawals, industry, 23 per cent, and households, 8 per cent. The world is ahead of schedule in meeting the 2015 drinking water target, though some countries still face an uphill battle (see figure IV). The Commission on Sustainable Development at its seventeenth session reached a landmark agreement on an integrated management of land and water resources. Scientific developments can assist in the development of long-term and sustainable water resource management strategies. These include nuclear and isotope techniques to accurately assess the size, location and replenishment rate of water resources, and detect pollution in groundwater. Since 2007, hydrology atlases containing tens of thousands of isotope hydrology records for Africa and Asia have been assembled.	Freshwater resources are under increasing pressure owing to population growth, increased economic activity and improved standards of living. This has led to increased competition for and conflicts over the limited freshwater resource. The problems are aggravated by the prevailing sectoral approaches that result in fragmented and uncoordinated actions. 884 million people worldwide rely on unimproved water sources. Of these, 84 per cent (746 million people) live in rural areas. At least 5 million deaths per year can be attributed to waterborne diseases. By 2025, more than 2.8 billion people will live in 48 countries facing water stress or water scarcity. Globally, about 9,000 cubic metres of freshwater is available per person per year. By 2025, this is projected to drop to 5,100 cubic metres.	Commission on Sustainable Development UN-Water Millennium Development Goals Report 2009 International Atomic Energy Agency United Nations Office for Outer Space Affairs

Agenda 21 Chapter	Title	Positive trends	Negative trends	Source
		Understanding and observing the global water cycle contribute significantly in effective water management, and space technology, primarily Earth observation satellites, plays a major role in supplying data for water studies. Remote-sensing products have wide coverage, which means that investigators can use the information to produce land-use and land-cover maps.	Water is increasingly seen as the key constraint on food production, on a par with, if not more crucial than, land scarcity. Irrigated agriculture accounts for over 70 per cent of global water withdrawals (over 80 per cent in some regions). From 1990 to 2000, the volume of water withdrawn for agricultural increased by 8 per cent. Even with an estimated additional 15-20 per cent irrigation water over the next 25 years — which is probably on the low side — serious conflicts could arise between water for irrigated agriculture and water for other human and ecosystem uses.[d]	

[a] United Nations, The Millennium Development Goals Report 2009, New York, 2009; and UN-Habitat, Annual Report 2008.
[b] International Energy Agency, OECD/IEA, World Energy Outlook, 2008, Paris, 2008.
[c] United Nations, The Millennium Development Goals Report 2009, New York, 2009.
[d] Integrated Water Resource Management, Global Water Partnership, Technical Advisory Committee.

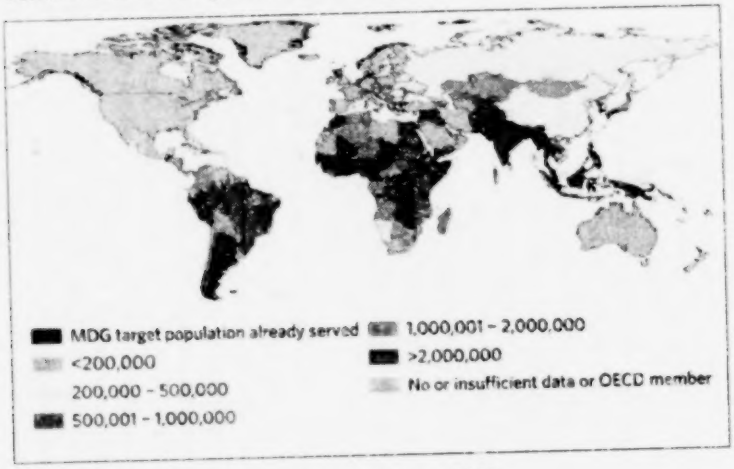
Figure III
Proportion of marine areas protected, 2008

(percentage)



Source: Millennium Development Goals Report 2009.

Figure IV
Population needing improved drinking water to meet Millennium Development Goals target



Source: Millennium Development Goals Report 2009.

3. Environmentally sound management of toxic chemicals, hazardous wastes, solid wastes and sewage-related issues and radioactive wastes

Table 3
Outcomes in environmentally sound management of toxic chemicals and wastes

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
19-22	Environmentally sound management of toxic chemicals, hazardous wastes, solid wastes and sewage-related issues and radioactive wastes	For hazardous wastes, solid wastes and sewage-related issues emphasis has shifted from remedial measures to prevention, but still a lot needs to be done in reduction at source, reuse, recycling and recovery. The International Code of Conduct on the Distribution and Use of Pesticides has been revised. National implementation plans under the Stockholm Convention on Persistent Organic Pollutants are being developed. GEF allocated $340 million for measures to reduce human and environmental exposure to such pollutants, leveraging an additional $474 million. A lot of best practices are promoted at the national and international level regarding chemicals. The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, together with the IAEA international Safety Standards, provide a framework for safety at the international level in the area of spent fuel management and storage of spent fuel for 436 nuclear power plants operating in 30 countries with another 45 plants currently under construction. IAEA provides assistance in the safe handling of used radioactive sources typically used in medical applications. It has trained regional and national teams to perform conditioning and transport operations for different types of disused sealed sources.	There is lack of sufficient scientific information for the risk assessment of chemicals. Despite the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade many developing countries lack national legislation regarding pesticides. Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal face challenges in reducing the quantity of hazardous wastes, in minimizing their generation and in managing the residual amounts to protect human health and the environment. The critical challenge is to integrate responses to global threats from hazardous wastes into social and economic development polices at the international, national and local levels. An important safety issue for radioactive waste is how to establish the safety of the facilities for the long term. More than 60 countries are considering the nuclear power option in their future energy portfolio.	UNIDO Stockholm Convention on Persistent Organic Pollutants FAO Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal IAEA UNEP

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
	Air pollution	The main human sources of particulate matter are power plants, industry, vehicles, household cooking and heating fuels, construction and waste incinerators. Particularly high concentrations of suspended particulates are found in countries relying on coal for energy. Since about 1970, in developed countries, and more recently in developing countries, particulate air pollution has been reduced by particulate control systems on power plants and industrial facilities, use of cleaner fuels such as natural gas, and requirements for catalytic converters on vehicles. Nonetheless, particulate concentrations are still very high in large cities in developing countries whose economies are growing yet are still in the process of introducing pollution control measures.[a]		

[a] Department of Economic and Social Affairs, Division for Sustainable Development, *Trends in Sustainable Development 2006-2007* (United Nations publication, Sales No. E.06.II.A.1).

A/64/275

19. Generally, some progress has been achieved in the abatement of air pollution and the management of waste, especially hazardous waste. Still, many problems remain.

20. The 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal came into force in May 1992. Despite the progress to date, parties to the Basel Convention still face enormous challenges in reducing the quantity of hazardous wastes, in minimizing their generation and in managing the residual amounts in a way to protect human health and the environment. The critical challenge is to integrate responses to global threats from hazardous wastes into social and economic development polices at the international, national and local levels. This can be done by raising awareness of impacts, by linking or coordinating the policymaking process across the international, national and local levels, and by coordinating planning and budget allocations at the national, local or sectoral level.

21. The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, whose secretariat functions are entrusted jointly to FAO and UNEP, entered into force on 24 February 2004, but continuing challenges include the fact that, in many developing countries, national legislation is not widely enforced owing to lack of technical expertise and resources.

22. While industrial development is important for economic growth, poorly managed industrialization can cause air and water pollution and hazardous waste problems. A number of programmes have been led by the United Nations Industrial Development Organization (UNIDO) to shift towards a cleaner production system. These include the elimination of hydrofluorocarbons (HCFCs) and other ozone-depleting substances. In partnership with GEF, UNIDO oversaw the preparation of many of the initial national implementation plans under the Stockholm Convention on Persistent Organic Pollutants, and reduction and control of the use of mercury in small-scale mining.

23. Similarly, with regard to the management of chemicals in agriculture, FAO advocates integrated pest management as the preferred strategy. In order to combat the widespread contamination of soil and water resources, FAO has revised and updated the International Code of Conduct on the Distribution and Use of Pesticides for pesticide management, and has awareness and generated action on obsolete pesticides in affected countries and regions.

24. The world's nuclear power plants generate spent fuel from the production of electricity in some 30 countries. All of the spent fuel is stored on-site or off-site in engineered storage facilities, pending final decisions on its disposition. The Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, together with the International Atomic Energy Agency (IAEA) international Safety Standards may be seen as providing a framework for safety at the international level in the area of spent fuel management. An important safety issue is how to establish the safety of the facilities for long-term storage of spent fuel. There must be confidence in the continued integrity of the fuel, its container, and the structure of the waste store. IAEA is supporting international research of monitoring, inspection and other components of safe

management practices. Safety Standards on spent fuel management also are being reviewed and elaborated to cover a wider scope of activities.[3]

25. IAEA has continued its work regarding sustainability issues surrounding nuclear energy development including climate change and nuclear power. It also runs programmes in the marine and terrestrial environments in areas such as the detection and fate of radio-pollutants in oceanic and coastal zones.

26. Environmentally sound solid waste management must go beyond the mere safe disposal or recovery of wastes that are generated and seek to address the root cause of the problem by attempting to change unsustainable patterns of production and consumption. In this regard, it is necessary to minimize wastes, maximize environmentally sound waste reuse and recycling, promote environmentally sound waste disposal and treatment and extend waste service coverage. This also means achieving the sanitation target. In 2006, 2.5 billion people worldwide were still unserved. The greatest challenge is in Southern Asia, where 580 million people are without improved sanitation.[4]

B. Institutions and governance

27. The present section reviews progress on the elements of Agenda 21 that pertain to governance and institutions. It covers the institutional structures developed at international levels to oversee the implementation of Agenda 21, as well as the role and contributions of major groups. A summary table follows the section (table 4).

28. International institutional arrangements are essential for sustainable development. Each year, the General Assembly considers sustainable development as part of its development agenda. It considers a number of issues from overall progress in the implementation of Agenda 21 and the Johannesburg Plan of Implementation, implementation of the Mauritius Strategy for Small Island Developing States, the International Strategy for Disaster Reduction, the three Rio Conventions and UNEP, to sustainable mountain development and new and renewable sources of energy; Member States give direction to the Commission on Sustainable Development at its upcoming session.

29. At its 2009 substantive session, held in Geneva from 6 to 31 July, the Economic and Social Council focused its third annual ministerial review on implementing the internationally agreed goals and commitments in regard to global public health.

30. The coordination segment focused on the follow-up to the 2008 Ministerial Declaration on implementing the internationally agreed goals and commitments in regard to sustainable development. A resolution was also adopted in which the United Nations system was requested to support the developing countries in achieving sustainable development goals.

31. The Economic and Social Council adopted a ministerial declaration on implementing the internationally agreed goals and commitments in regard to global public health. The Ministers underlined their commitment to strengthening health

[3] IAEA, Radioactive waste management, Issue brief.

[4] United Nations, The Millennium Development Goals Report 2009.

systems that deliver equitable health outcomes as a basis of a comprehensive approach.

32. The Commission on Sustainable Development at its seventeenth session, a policy session, adopted a set of practical measures and policy options[5] to speed up agricultural development, address drought, desertification, land use, rural development and Africa as well as interlinkages and cross-cutting issues, including means of implementation. A set of adopted policy options had placed agriculture and rural development at the heart of the sustainable development agenda and showed that a paradigm shift was required to ensure lasting development for all.

33. The five regional commissions contributed to the policy discussions during the seventeenth session of the Commission on Sustainable Development and the Intergovernmental Preparatory Meeting. Representatives of the five regional commissions addressed, from a regional perspective, policy options and possible actions to expedite implementation in the five thematic areas of: agriculture, rural development, land, drought, desertification and Africa.

34. Prior to the seventeenth session of the Commission, three intersessional meetings were organized by the Division for Sustainable Development; one in Bangkok, from 28 to 30 January 2009 (see E/CN.17/2009/13 and E/CN.17/2009/16) was a capacity-development workshop for improving agricultural productivity, water use efficiency and rural livelihoods. The other was in Windhoek, on 9 and 10 February 2009 on the theme "African agriculture in the twenty-first century: meeting the challenges, making a sustainable green revolution" (see E/CN.17/2009/14 and E/CN.17/2009/15). The third was held at the Arava Institute for Environmental Studies based on Kibbutz Ketura in Israel from 22 to 30 March 2009, on developing practical methods of reversing trends of soil degradation (see E/CN.17/2009/17).

35. The Economic Commission for Africa (ECA) has provided technical and financial support to the African Union/African Ministerial Conference on the Environment processes on the preparation and adoption of an African Common Negotiating Position on Climate Change towards the fifteenth session of the Conference of the Parties. Within the framework of the African Union/New Partnership for Africa's Development Comprehensive Africa Agriculture Development Programme, ECA continues to play an important role in the implementation of the African Union/ECA/African Development Bank Joint Initiative on Land Policy in Africa. The Pan-African Land Policy Framework and Guidelines, which constitute significant outputs of the Initiative, were adopted at a Joint Conference of African Ministers of Agriculture, Land and Livestock in April 2009 and endorsed at the African Union Summit of July 2009.

36. The Economic Commission for Europe (ECE) supports the "Environment for Europe" process to tackle environmental challenges. It has established a privately managed equity fund that will target energy efficiency and renewable energy investment projects in 12 countries in Central Asia and Eastern and South-Eastern Europe. The Joint ECE/Organization for Economic Cooperation and Development/Eurostat Working Group on Statistics for Sustainable Development has issued a report entitled "Measuring Sustainable Development", which was

[5] See *Official Records of the Economic and Social Council, 2009, Supplement No. 9*, chap. I.B, resolution 17/1.

published in March 2009.[6] Regarding transportation, the World Forum for Harmonization of Vehicle Regulations is developing common methodologies, test cycles and measurement methods for vehicles, including for carbon dioxide emissions. Regarding reducing air pollution, there is ongoing work under the 1979 Convention on Long-Range Transboundary Air Pollution, which is integrating strategies to curb air pollution while simultaneously mitigating climate change to achieve cost savings.

37. The Economic Commission for Latin America and the Caribbean (ECLAC) initiated a series of studies in selected countries on the economics of climate change. Regional studies and project implementation on urban sustainable infrastructure were initiated in coordination with the Economic and Social Commission for Asia and the Pacific (ESCAP), as well as the implementation of a project on the sustainability of regional megacities in six countries of the region. It has updated and upgraded a database on economic, social and environmental variables and indicators for improving the assessment of progress towards sustainable development.

38. In 2008, ESCAP enhanced the understanding of the issues relating to balancing energy security and climate change towards sustainable "low carbon" development while in 2009 the focus was on the issue of food security and sustainable agriculture in response to the multiple crises. It has also continued to promote green growth, which, as a result, has a number of countries in the Asia and the Pacific region adopting green growth policies, programmes and institutions.

39. Towards achieving the protection of the quality and supply of freshwater resources, the Economic and Social Commission for Western Asia (ESCWA) organized an expert group meeting on the application of indicators and indices for water quality management in the ESCWA region. ESCWA has also prepared a study entitled "Towards sustainable patterns of production and consumption of water resources in the Arab region". It has also organized a workshop on negotiations and dispute resolution over international shared watercourses. It has contributed to the development of an Arab framework action plan for mitigation and adaptation to climate change impacts through the Regional Coordination Mechanism.

40. There are a number of legal instruments and mechanisms that have entered into force since the first United Nations Conference on the Human Environment, in Stockholm in 1972. UNEP has been established, as well as the three Rio Conventions[7] and the Commission on Sustainable Development. Increasing attention has been paid to the identification and elaboration of concepts and principles in international law related to sustainable development, based on the principles of the Rio Declaration. This could have practical consequences, for example, in facilitating and stimulating the development of new legal instruments and in the implementation, interpretation and harmonization of existing instruments. Increasingly, the principles of the Rio Declaration are also being reflected in national laws.

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[6] Available from http://www.unece.org/stats/publications/Measuring_sustainable_development.pdf.

[7] The Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa and the United Nations Framework Convention on Climate Change.

41. There has also been increasing recognition of the special situation of developing countries and their differentiated responsibilities. International legal instruments and mechanisms support the need for assistance, including, for example, funding for participation in the negotiation of international legal instruments and for participation in the meetings of treaty bodies after signing and ratification. These treaties often provide for technology transfer and cooperation, financial resources and the creation or designation of a financial mechanism for the implementation of the treaty.

42. However, even though the development of international law for sustainable development has been furthered by the negotiation of new integrative instruments, and the adoption and implementation of others, at the national level, the implementation of international treaties in the area of sustainable development through national legislation remains piecemeal. Integrative and participatory strategies need to be further developed. The lack of secure, sustained and predictable financial resources, insufficient institutional capacity and human resources and inadequate access to technologies may hinder implementation and compliance with international legal instruments. It is also perceived that the unprecedented rate at which new international legal instruments are being adopted exceeds capacity to implement these instruments.

43. Complete compliance with international treaties on sustainable development has not been attained. Factors contributing to this deficiency include a lack of political will, the unavailability of sufficient financial means, a lack of full understanding of the exact obligations of the instrument, and the compressed time schedule of many negotiations. It may be only after an instrument has been negotiated and signed that the full range of consequences, including the need for financial and technical resources, emerges. Another constraint resulting in inadequate use of funds may arise from the lack of coordination at the national level, between the national and the local level, and among ministries themselves. Clashing competencies, indistinct responsibilities and vagueness about the source, goal and amount of financial obligations may hamper implementation and compliance.

44. There is also an increasing trend of involving civil society in the implementation of legal instruments especially the scientific community since environmentally oriented international legal instruments rely increasingly on scientific findings. Thus, various international legal instruments have set up scientific and/or technical bodies. They have been challenged to draw upon the work of the wider scientific community, including other intergovernmental forums, and to have their expertise so integrated as to guide the policy of their respective convention bodies.

45. Development of indicators of sustainable development is another important task as they are needed to increase focus on sustainable development and assist decision-makers at all levels to adopt sound national sustainable development policies. The third, revised set of Commission on Sustainable Development indicators was finalized in 2006 by a group of experts from developing and developed countries and international organizations. The revised edition contains 96 indicators, including a subset of 50 core indicators.[8]

[8] Guidelines on indicators and their detailed methodology sheets can be accessed at http://www.un.org/esa/dsd/dsd_aofw_ind/ind_index.shtml.

Major groups

46. The nine major groups enhanced their coordination efforts in 2009 by developing Priorities for Action[9] and launching several policy initiatives.[10] Representatives of major groups participated in a number of regional meetings that provided direct inputs to the Commission on Sustainable Development at its seventeenth session, and their presence on Government delegations during meetings of the Commission has increased.[11]

47. Over 600 representatives from 118 organizations participated in all official segments at the seventeenth session of the Commission open to their participation, contributing more than 29 interventions in Plenary. They were active in three ministerial round tables as both participants and expert panellists. Major groups participated in 60 different side events and 20 other related activities. Additionally, approximately 60 official coordination meetings were held by major groups during the seventeenth session of the Commission.[12]

48. Corporate social responsibility has become a central element of corporate image in the global economy, where companies source raw materials and components through global supply chains. A growing number of companies are adopting voluntary initiatives to ensure good working conditions and environmental performance throughout their supply chains, as well as good relations with workers, consumers, shareholders, communities, activists and other stakeholders. Corporate social responsibility programmes include codes of conduct, environmental management systems, stakeholder dialogues, community investment and philanthropy, and reporting, auditing and certification. The United Nations Global Compact is one example of a voluntary multi-stakeholder initiative to promote corporate responsibility in the fields of human rights, labour standards, environment and corruption. Launched in 2000, the initiative now has over 5,000 business participants in 135 countries.[13]

Scientific community

49. Space technologies, such as remote sensing, satellite communications, satellite navigations and positioning technology, and space-derived information, coupled with advances in mobile communication and expansion of the Internet, play an important role in transport systems planning and management, including roads planning, routing, transportation safety and accident avoidance, traffic management, emergency assistance, vehicle location and monitoring, cargo tracking and recovery, revenue collection, and development of intelligent transport systems.

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[9] The official document submitted by major groups to the Intergovernmental Preparatory Meeting of the Commission, which can be found at http://daccessdds.un.org/doc/UNDOC/GEN/N08/627/88/PDF/N0862788.pdf?OpenElement.

[10] These include Farming First and Urban-Rural Partnerships for Food Security and Vibrant Markets. For details, visit: http://www.un.org/esa/dsd/dsd_aofw_mg/mg_csd17.shtml.

[11] Belgium, Canada, Germany, the Netherlands and Sweden all included youth representatives on their delegations in 2009, and other delegations included representatives of women, NGOs workers and trade unions, business and industry, and farmers.

[12] Major groups' statements and interventions can be found on the official statements web page of the Commission, or by accessing the individual major groups' sectors web pages.

[13] United Nations Global Compact Annual Review 2008, March 2008.

50. The World Meteorological Organization (WMO) has developed projects to enhance National Meteorological and Hydrological Services' capacities in supporting early warning systems It continues to improve tropical cyclone and related flood and storm surge forecasts and warnings through regionally coordinated systems.

51. The United Nations Office for Outer Space Affairs offers space technology and its applications for monitoring and conducting assessments of the environment and managing the use of natural resources such as Earth observation systems, meteorological satellites, satellite communications and satellite navigation and positioning systems.

52. Satellite data are useful to predict land surface changes and to make recommendations for appropriate and effective interventions for sustainable land management. Satellite imagery can be used to make an inventory of previous landslides and to collect data on relevant parameters concerning, among other things, soil, geology, slope, geomorphology, land use, hydrology and faults. Space tools are also fast becoming vital in measuring the level of air pollution and monitoring and observing the atmosphere and its interaction with the Earth.

53. The United Nations Office for Outer Space Affairs also helps with its global navigation satellite systems in providing precise vehicle location information on the ground, sea or air.

Partnerships

54. At the seventeenth session of the Commission on Sustainable Development, the secretariat organized a Partnerships Fair, as part of the official programme of work, in order to provide registered partnerships and other participants an opportunity to discuss the important contribution of these initiatives to support the implementation of intergovernmentally agreed sustainable development goals and commitments (see http://www.un.org/esa/dsd/dsd_aofw_par/par_index.shtml).

55. There is an increasing recognition that further efforts should be devoted to advancing and mainstreaming the partnership-based approach to development. There is also a growing interest in building on the concrete added value that voluntary, multi-stakeholder partnership initiatives bring to implementation, and in further scaling up and replicating partnership contributions and best practices.

56. Lessons learned from the use of partnerships as a sustainable development implementation mechanism include: the increased recognition of the contribution of local actors where a partnership's effectiveness is tested on the ground; the increased effectiveness in development cooperation frameworks and enhancement of national sustainable development efforts; the promotion and facilitation of corporate social responsibility efforts by private sector partners; and the importance of Governments to continue to play a key role in fostering partnerships as the complexity of the development challenges will continue to test the ability of Governments to muster the necessary resources and capacities to confront them.

Table 4
Outcomes in institutions and governance

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
23-32	Women, youth, indigenous, NGOs, local authorities, workers and trade unions, business and industry, scientific and technological community, farmers	Sustainable development has witnessed a dramatic increase in the number and sophistication of major groups. Of the major groups accredited to the Economic and Social Council, the number of those which are active in the sustainable development has doubled from 1,152 in 1992 to 2,150 in 2008. Of these, the largest number are NGOs (1,427), followed by children and youth groups (162), women's groups (158) and the scientific community (157)[a]. Several sustainable development networks have come into existence, including the Sustainable Development ListServe, operated jointly by the Division for Sustainable Development and the International Institute for Sustainable Development. Several networks of civic entrepreneurship have been established, including, e.g., the Social Enterprise Coalition, Ashoka: Innovators for the Public, the Skoll Foundation, the Omidyar Network, the Schwab Foundation for Social Entrepreneurship, Root Cause, the Canadian Social Entrepreneurship Foundation, New Profit Inc., Echoing Green. Their rationale is often to trigger large scale social change in line with their defining vision, through interventions at various stages of policy process, e.g., by acting as policy monitors, policy advocates, policy innovators and service providers.[b] As of June 2009, a total of 346 partnerships had voluntarily registered with the secretariat of the Commission for Sustainable Development.		ISO 14000 Department of Economic and Social Affairs — NGO Branch Division for Sustainable Development

Agenda 21 Chapter	Title	Positive trends	Negative trends	Source
		According to ISO 14000 (environmental management systems) which was established in 1996, up to the end of December 2007, at least 154,572 certificates had been issued in 148 countries and economies. This represents 21 per cent increase over 2006.		
		Sustained industrial development has been a major contributor to economic growth and poverty reduction over the past half century, notably in Asia. Corporate social responsibility is on the rise. The Global Compact has over 5,000 business participants in 135 countries.		
		The Commission on Sustainable Development, at its seventeenth session introduced several innovative approaches in its organization of work regarding major groups, including ministerial dialogues with major groups and the policy research community. A noteworthy outcome is the formation of a "Sustainable Development Knowledge Partnership" to mobilize intellectual resources in support of global and national policies and actions on sustainable development.		

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
37-40	National mechanisms and international cooperation for capacity-building in developing countries, international institutional arrangements, international legal instruments and mechanisms, information for decision-making	A number of tools for analysis have been developed for decision-making, such as environmental impact assessment and progress measurement, vulnerability assessments, risk assessments, scenario analysis, hot-spot analysis as well as integrated planning and management of, for example, energy and water. Progress includes: a wider involvement of non-State actors; a deeper understanding in the international community of capacity-development issues; more focus on the demands of users; improved aid coordination and donor collaboration; more capacity investments on regional and global levels; and a greater role for information technology in capacity-building. The General Assembly, the Economic and Social Council and the Commission on Sustainable Development all give normative directions in sustainable development. The Commission is the high body for sustainable development in the United Nations system and it has been adopting decisions for better implementation of sustainable development and its mainstreaming into overall international and national development agendas; international legal instruments are also being developed even though progress is mixed, e.g., the Kyoto Protocol and post-Kyoto talks. Indicators both at the international and national levels for sustainable development have been developed, data collection has been improved, but it still lacks in some areas, and information networks are also being established. The third, revised set of Commission on Sustainable Development indicators was finalized in 2006 by a group of experts from developing and developed countries and international organizations. The revised edition contains 96 indicators, including a subset of 50 core indicators.	Complete compliance with international treaties on sustainable development has not been attained. Factors contributing to this deficiency include a lack of political will, the unavailability of sufficient financial means, a lack of full understanding of the exact obligations of the instrument, and the compressed time schedule of many negotiations.	Commission on Sustainable Development Division for Sustainable Development UNEP

[a] Department of Economic and Social Affairs, the integrated Civil Society Organizations (iCSO) System.

[b] Banuri T., Najam A., *Civic Entrepreneurship*, Vol. I, Stockholm Environment Institute, 2002.

C. Actions in international cooperation and means of implementation

57. Progress made in capacity-building in support of Agenda 21 can be summarized as follows: greater national capacities for designing national plans, a wider involvement of non-State actors, a deeper understanding in the international community of capacity-development issues, more focus on the demands of users, improved aid coordination and donor collaboration, more capacity investments on regional and global levels, and a greater role for information technology in capacity-building (see table 5).

Table 5
Actions in international cooperation and means of implementation

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
2	International cooperation to accelerate sustainable development in developing countries	The Centre for Global Development identifies seven domains of international cooperation for development: aid, trade, investment, migration, environment, security, and technology. Progress in these seven areas has been mixed. In 2008, total net ODA from members of the OECD Development Assistance Committee (DAC) rose by 10.2 per cent to $119.8 billion. An OECD survey of donors' forward spending plans suggests an 11 per cent increase in programmed aid between 2008 and 2010. During 2008, the network of international investment agreements continued to expand, although the number of bilateral investment treaties concluded in 2008 (59) was lower than in 2007 (65). The number of newly concluded double taxation treaties (75) and other international agreements with investment provisions (16) exceeded those for 2007 (69 and 13, respectively). The Commission on Sustainable Development is promoting a sustainable development agenda, but implementation is still intermittent.	Throughout the 1990s, ODA declined from a "high" of 0.33 per cent of total gross national product of DAC member countries in 1990 to a low of 0.22 per cent in 1997. Global foreign direct investment (FDI) peaked in 2007 at a record $1.9 trillion. It fell by roughly 15 per cent in 2008, but most of the brunt was borne by advanced economies. 2009 will also see a decline in FDI for developing countries. International migration has long been a central tool in the battle against global poverty and inequality, but restrictions are growing and migration is on decline as well as remittances, which in 2004, were estimated by IMF to be $126 billion. In several emigration countries, remittances largely exceeded the volume of ODA, and in certain cases even FDI. In fragile, post-conflict states strained relations between military and civil authorities often have negative effect on development.	The Centre for Global Development only compares the commitments; it does not provide a secular trend of increase. In some areas this cooperation has been better than in some others. OECD/DAC, 2009 UNCTAD, 2009 Millennium Development Goals Report 2008

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
8	Integrating environment and development in decision-making	82 Member States have reported to the Commission on Sustainable Development on implementing a national sustainable development strategy in 2007. This corresponds to 43 per cent of all countries, and 79 per cent of all countries for which information is available. Two non-Member States (Cook Islands and Niue) also reported implementing a national sustainable development strategy. This is a 19 per cent increase since 2006. 16 countries reported that they are developing national sustainable development strategies. Many, but not most, countries have charged planning or development ministries with the oversight of integrated strategies. A number of tools for integrated water resource management and integrated energy planning have been deployed.	A large number of countries are still in the preparatory stage and a number of them have not reported on national sustainable development strategies. Six countries reported they do not have a national sustainable development strategy. Most countries have not integrated sustainable development in their overall development agenda. An effective feedback mechanism — including monitoring, learning and adaptation, is in place only in a few countries. The vision and objectives created through a national sustainable development strategy process are in most countries still not sufficiently linked to national budget expenditures or revenue-generating processes. Progress in implementation of environmentally related fiscal reform (e.g., ecological taxes, subsidy reform, user fees) remains slow, despite general support to such instruments in many national sustainable development strategies.	Department for Sustainable Development, 2009

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
33	Financial resources and mechanisms	See chapters 1 and 2 for ODA, FDI. Global Green New Deal, an investment of 1 per cent of global GDP over the next two years, could provide the critical mass of green infrastructure needed to seed a significant greening of the global economy. An aid-for-trade initiative to help low-income countries penetrate global markets: in 2007, as was the case in 2006, aid for trade grew by more than 10 per cent in real terms and total new commitments from bilateral and multilateral donors reached $25.4 billion, with an additional $27.3 billion in non-concessional trade-related financing. GEF has invested over the past 18 years $8.6 billion directly and leveraged $36.1 billion in co-financing for more than 2,400 projects in more than 165 countries.	World gross product is forecast to fall by more than 2.6 per cent in 2009. World income per capita is expected to fall by 3.7 per cent in 2009 in developed economies, but also in a large number of developing countries. The financial crisis and ensuing recession will inhibit the capacity of developing countries to use counter-cyclical policy to stimulate their economies. For many developing countries, the impacts of the crisis include loss of export revenues, diminished access to trade finance, reductions in export-oriented and infrastructure investment, lower fiscal revenues and balance-of-payment problems (General Assembly resolution 63/303). A more prolonged global recession is probable.	World global outlook 2009
34	Transfer of environmentally sound technology, cooperation and capacity-building	In the 1990s, most of the work on environmentally sound technologies focused on the development and transfer of technologies for removing harmful substances from emissions and effluents and treating them or disposing of them safely. However, at the beginning of the twenty-first century, the focus shifted to cleaner production, reducing or eliminating the generation of harmful substances in the production.		GEF, 2009

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
		Since 1991, GEF has allocated $2.5 billion to support more than 30 climate-friendly technologies in more than 50 developing countries, generating an estimated $15 billion in co-financing. GEF has provided funding for technology needs assessments and other enabling and capacity-building activities in more than 100 countries throughout the world. Several international environmental agreements, including the United Nations Framework Convention on Climate Change, the Montreal Protocol to the Vienna Convention on the Protection of the Ozone Layer, and the Convention on Biological Diversity, include provisions for new and additional financial assistance to support the transfer of environmentally sound technologies.		
35	Science for sustainable development	The scientific community has done a lot in the area of establishing institutions, in professional assessment available to general public, in developing tools for analysis (environmental impact assessment, indicators, vulnerability analysis, risk assessment, hot-spots analysis, scenarios analysis, valuation techniques) as well as integrated planning and management of water, land use, energy. The scientific basis for decision-making on sustainable development has been strengthened by the establishment of a number of institutes and think tanks (e.g., in Bangladesh, Canada, China, Germany, India, Pakistan, Sweden, Switzerland, Thailand, the United Kingdom and the United States).		

Agenda 21 Chapter	*Title*	*Positive trends*	*Negative trends*	*Source*
		Another innovation from the scientific community is the role of professional assessments of the policy literature. The Intergovernmental Panel on Climate Change is such an example.		
36	Promoting education, public awareness and training	The Bonn Declaration from The World Conference on Education for Sustainable Development asks UNESCO to support Member States and other partners in the implementation of the Declaration, particularly through upstream capacity-building and policy advice on the development of coherent national strategies, monitoring and evaluation, recognizing and sharing good practices on education for sustainable development, advocacy and global partnership development, with due consideration to post-conflict and least developed countries. 28 universities in the United States, 2 in Canada and 2 in Australia offer degrees and courses in sustainable development. UNEP launched the Mainstreaming Environment and Sustainability in African Universities Partnership programme. A number of networks have been established such as Sustainable Development Communications Network, World Bank Sustainable Development Network, Sustainable Development ListServe. United Nations University has established the Regional Centres of Expertise on Education for Sustainable Development and has facilitated the Promotion of Sustainability in Postgraduate Education and Research Network (ProSPER.Net) in Asia and the Pacific. The United Nations Institute for Training and Research organizes training programmes on sustainable development.		UNESCO, 2009 UNEP, 2009 United Nations Institute for Training and Research, 2009 United Nations University, 2009

III. Views of Member States regarding a high-level event on sustainable development

58. In paragraph 5 of resolution A/63/212, the General Assembly "invites Member States to express their views on the possibility of convening a high-level event on sustainable development, and requests the Secretary-General to include views expressed in the report on this agenda item". A number of groups of States and individual Member States have expressed their views.

59. A group of States and several individual Member States (the Sudan, on behalf of the Group of 77 and China, Azerbaijan, Argentina, Belarus, Brazil, Chile, Colombia, Indonesia, Mauritius, the Philippines, the Republic of Korea, the Russian Federation, Somalia, South Africa, Tunisia and Turkey) support the convening of a high-level event on sustainable development in 2012 on the grounds that it would provide the appropriate high-level political forum for an overall review and appraisal of obstacles faced and progress achieved in the implementation of Agenda 21, and identifying measures and creative approaches to overcome the barriers in implementation. These States also support the offer of the Government of Brazil to host the high-level meeting.

60. Some Member States (the Czech Republic, on behalf of the European Union, Canada, Iceland, Japan, Mexico and Switzerland) have expressed an open view on this proposal, but have not proposed a particular year when it should take place; they underline that the proposal merits further discussion in order to ensure that any such event takes into account the effective conclusion of the current multi-year programme of work agreed to at the Commission on Sustainable Development, the successful conclusion of other current key multilateral initiatives, and avoidance of overlap and duplication of existing mechanisms and assessment of resource implication.

61. Some Member States (Iceland, Japan and Switzerland) state the need for such a high-level event to be able to deliver tangible results and facilitate implementation of sustainable development strategies, policies and actions, and in this regard to find ways to further strengthen the role of the Commission on Sustainable Development to review progress in the implementation of Agenda 21, the Programme for the Further Implementation of Agenda 21, and the outcomes of the World Summit on Sustainable Development, and to strengthen its analytical and information base in the context of the reform of the United Nations.

62. One Member State (the United States) advocates holding a high-level event in 2017, on the grounds that according to a decision in Economic and Social Council resolution 2003/61, which was agreed in 2003 at the eleventh session of the Commission on Sustainable Development, the international community already anticipates an overall appraisal of the outcomes of the previous world summits on sustainable development, at the end of the multi-year programme of work of the Commission on Sustainable Development in 2017.

63. Most Member States have not gone into details about the preparatory process for the high-level event, but have stated that a preparatory process, including modalities for negotiations, should be decided upon by the General Assembly at its sixty-fourth session, taking into account the work of the Commission on Sustainable Development with a view to avoiding duplication of work.

64. However, three Member States (Brazil, South Africa and Tunisia) provide some detail on the high-level event. One State (Brazil) has proposed four areas for discussion at the 2012 high-level event: (a) review of implementation; (b) international governance for sustainable development; (c) global pact around the "green economy"; and (d) water. Regarding the outcomes, it proposed the following: (a) a comprehensive political declaration that would indicate new areas of convergence and consolidate the international consensus on the paradigm of "green economy"; to recall and reaffirm Agenda 21, the Rio Declaration and the Johannesburg Plan of Implementation; identify gaps and propose actions for bridging them and (b) a plan of action for the achievement of the objectives set forth by the Conference, including with regard to the implementation of the "green economy" paradigm. Regarding the preparatory process, it stated that the preparatory process should go beyond the establishment of national commissions for the review of implementation of Agenda 21. The process should identify additional mechanisms for further implementing the commitments. It also envisages that the Commission on Sustainable Development should act as a Preparatory Committee for the "Rio+20" Conference.

65. The second proposal (South Africa) states that the objectives of such a high-level event should be (a) taking stock on the implementation of Agenda 21 and targets of the Johannesburg Plan of Implementation and specifically the previous cycles of the Commission on Sustainable Development; (b) re-examining how best to achieve sustainable development in the current global context regarding multiple crises and also to focus on technology for sustainable development and sustainable consumption and production; and (c) taking stock of the process to assess whether sessions of the Commission on Sustainable Development are used effectively.

66. The third (Tunisia) proposes including the following topics at the high-level event: greater effectiveness in and strengthening of the mechanisms for implementing Agenda 21; strengthening the participation of major groups in sustainable development, especially women and youth; development and defence of decent livelihoods in all regions, including heavily populated urban areas; greater inclusion of climate change considerations in development plans and policies in all countries; greater emphasis on development of mechanisms to ensure global stability and further measures for the implementation of the Monterrey Consensus and outcomes of the Doha Review Conference on financing for development in 2008.

67. In summary, there are three views on this proposal. First, a number of Member States would like to have a high-level event on sustainable development to take place in 2012 in Brazil as a high-level political forum for an overall review and appraisal of obstacles faced, progress achieved and for identifying measures and creative approaches to bridge the implementation gaps. Secondly, some Member States maintain an open view about having a high-level event on sustainable development, but they did not specify which year it should be held and underlined that any such event needs to take into account the effective conclusion of the current multi-year programme of work agreed to at the Commission on Sustainable Development on current key multilateral initiatives. Thirdly, one State believes that a high-level event should take place in 2017 at the end of the Commission's multi-year work programme.

IV. Conclusions and recommendations

68. **Implementation of sustainable development principles, goals and policies is continuing at all levels, but the current multiple crises as well as climate change have demonstrated that taking an integrated and holistic approach, with an emphasis on interlinkages, ensuring broad participation in implementation by all stakeholders, and developing a practical focus on specific measures are essential in order to expedite implementation of sustainable development goals. Member States, organizations of the United Nations system and major groups, including industry and business, should stay on this track while aiming for accelerated progress.**

69. **To that end, it is recommended that the General Assembly:**

(a) **Call upon Governments, organizations of the United Nations system and major groups to deepen their commitments to sustainable development by redoubling their efforts to implement Agenda 21, the Programme for the Further Implementation of Agenda 21 and the Johannesburg Plan of Implementation;**

(b) **Call upon Governments to continue providing their support to the Commission on Sustainable Development and to organize intersessional activities, taking into account the thematic cluster of issues considered by the Commission in 2010-2011 and to emphasize the importance of a consensus outcome and action-oriented policy sessions;**

(c) **Call on Governments to continue providing their support to the Commission on Sustainable Development and, in this regard, to contribute to the Commission's trust fund in support of enhanced participation of representatives of developing countries and representatives of major groups in the work of the Commission;**

(d) **Invite the United Nations System Chief Executives Board for Coordination to continue monitoring, through its High-Level Committee on Programmes, the operational efficiency and effectiveness of inter-agency collaborative mechanisms, including UN-Energy, UN-Water, UN-Oceans and other collaborative arrangements, in the follow-up to the World Summit on Sustainable Development;**

(e) **Invite Governments to continue discussing a possibility of convening a high-level event on sustainable development in order to reach a consensus;**

(f) **Call upon donor Governments and international financial institutions to support developing countries in the areas of transport, chemicals, waste management, mining and a Ten-Year Framework of Programmes on Sustainable Consumption and Production Patterns;**

(g) **Encourage Governments, in collaboration with the organizations of the United Nations system and major groups, including business and industry, as appropriate, to consider enhancing the implementation and increasing the effectiveness of national sustainable development strategies including through development cooperation frameworks through the use of voluntary multi-stakeholder partnerships as well as through shared learning and an exchange of experiences and best practices.**

United Nations A/64/276

General Assembly

Distr.: General
10 August 2009

Original: English

Sixty-fourth session
Item 71 (a) of the provisional agenda*
Promotion and protection of human rights: implementation of human rights instruments

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Note by the Secretary-General

The Secretary-General has the honour to submit to the General Assembly the report of the chairpersons of human rights treaty bodies on their twenty-first meeting, held at Geneva on 2 and 3 July 2009, pursuant to General Assembly resolution 57/202.

* A/64/150.

09-45216 (E) 310809

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Report of the chairpersons of the human rights treaty bodies on their twenty-first meeting

Summary

The General Assembly, in its resolution 57/202, requested the Secretary-General to submit to the Assembly the reports of the persons chairing the human rights treaty bodies on their periodic meetings. The present document contains the report on the twenty-first meeting of chairpersons of human rights treaty bodies, which was convened at Geneva on 2 and 3 July 2009, pursuant to Assembly resolution 49/178. The chairpersons considered follow-up to the recommendations of the twentieth meeting and reviewed developments relating to the work of the treaty bodies. They also discussed reform of the treaty body system, including harmonization of working methods and the universal periodic review mechanism of the Human Rights Council, as well as the work of the Council in general. They met with representatives of States parties and the President of the Human Rights Council. The eleventh joint meeting of treaty body chairpersons, special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Council was also held. The chairpersons adopted recommendations, which are contained in section VII of the present report. The reports on the eighth and ninth inter-committee meetings of human rights treaty bodies, which were held at Geneva, from 1 to 3 December 2008 and 29 June to 1 July 2009 respectively, that were considered by the chairpersons are annexed to the present report.

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I. Introduction

1. The twenty-first meeting of chairpersons of the human rights treaty bodies, convened pursuant to General Assembly resolution 49/178, was held at the Office of the United Nations High Commissioner for Human Rights (OHCHR) at Geneva, on 2 and 3 July 2009. The meeting was preceded by the eighth and ninth inter-committee meetings, held from 1 to 3 December 2008 and 29 June to 1 July 2009, respectively.

II. Organization of the meeting

2. The following chairpersons attended: the Chairperson of the Committee on Economic, Social and Cultural Rights, Jaime Marchán Romero; the Chairperson of the Human Rights Committee, Yuji Iwasawa; the Chairperson of the Committee on the Rights of the Child, Yanghee Lee; the Chairperson of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, Abdelhamid el-Jamri; the Chairperson of the Committee against Torture, Claudio Grossman; the Chairperson of the Committee on the Elimination of Discrimination against Women, Naéla Gabr; the Chairperson of the Committee on the Elimination of Racial Discrimination, Fatima-Binta Victoire Dah; the Chairperson of the Committee on the Rights of Persons with Disabilities, Mohammed al-Tarawneh; and the Chairperson of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, Víctor Manuel Rodríguez Rescia.

3. Ms. Gabr took the chair as Chairperson/Rapporteur and Ms. Lee and Mr. Al-Tarawneh were affirmed Vice-Chairpersons. The chairpersons adopted the agenda on the basis of the provisional agenda and annotations (HRI/MC/2009/1) and proposed programme of work.

III. Meeting with the President of the Human Rights Council

4. The chairpersons met with Alex Van Meeuwen, the newly elected President of the Human Rights Council, who emphasized the complementary role of the treaty bodies and the Council, in particular in the context of the universal periodic review mechanism, and their mutually reinforcing nature. He underlined the importance of each mechanism maintaining its own integrity. He said that 80 countries had been reviewed under the mechanism, and that there had been repeated references to treaty body outputs during the interactive dialogue, which he considered a positive and very welcome practice. He referred to paragraph 3 (f) of Human Rights Council resolution 5/1, according to which the mechanism should complement and not duplicate other human rights mechanisms, thus representing added value. He also underlined that the mechanism should not be perceived as an appeal mechanism for treaty body recommendations. He noted that dialogue between the Human Rights Council and the treaty bodies was ongoing, and that there should be the continued exchange of views; he also committed himself to meet regularly with the treaty bodies.

5. The chairpersons also stressed that the work of the treaty bodies and the universal periodic review mechanism should be mutually reinforcing and complementary. They were pleased that treaty body recommendations formed a

large part of the compilation report prepared by OHCHR for the universal periodic review mechanism and indicated that the outputs of the mechanism process were very useful for the work of the treaty bodies. The mechanism was referred to as the political sounding box for the recommendations of the treaty bodies, and it was noted that the process could constitute a form of follow-up to treaty body recommendations. The mechanism process had encouraged the treaty bodies to issue even more specific and focused recommendations, which should continue to be taken into account and be accorded greater weight. The chairpersons stressed that the mechanism was not a forum to challenge or reject treaty body recommendations, as far as they derived from legal obligations under the treaties, and counted on the assistance of the Presidency on this matter.

6. The chairpersons noted that almost all States under review in the universal periodic review mechanism process had submitted reports, but there were many States that had not submitted their reports to the treaty bodies, or whose reports, including initial reports were significantly overdue. They suggested that this could be brought up during the mechanism process, with States being asked to explain challenges to treaty body reporting. Stressing that both processes were equally important, the chairpersons noted that significant human, financial and technical resources had been allocated to support the mechanism process, which might have affected the effective functioning of the treaty bodies. Other issues and questions raised related to possible follow-up to the mechanism recommendations and whether some sort of midterm evaluation of the mechanism was under consideration. It was also suggested that a focal point on the mechanism to the treaty bodies could be designated by the Human Rights Council to ensure mutual exchange of information.

IV. Eleventh joint meeting of chairpersons of human rights treaty bodies and special procedures mandate holders

7. On 2 July 2009, the chairpersons met with the mandate holders of the special procedures of the Human Rights Council in a meeting that was co-chaired by the Chairperson of the meeting of chairpersons of the human rights treaty bodies and the Chairperson of the meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures.

8. Underlining the cross-cutting nature of disability and the fact that discrimination often had multiple facets, the chairpersons encouraged the special procedures to advocate for the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol and to take up the human rights situation of persons with disabilities in the course of their country visits.

9. The treaty body chairpersons underlined that the information gleaned by mandate holders during country visits allowed treaty bodies to assess a country's situation more adequately and engage in more effective dialogue with States parties. Similarly, special procedures mandate holders strongly valued the output of treaty bodies in the preparation of missions and as a basis for dialogue while on country visits. The importance of institutionalizing follow-up was emphasized, and it was suggested that a regular meeting of follow-up rapporteurs of treaty bodies could be convened to deepen exchange of information on experiences and best practices.

10. Country-specific rapporteurs emphasized that they were able to provide information on the enjoyment of the full range of human rights in the States of their mandate. They were also well-placed to engage in follow-up to the recommendations of treaty bodies, encourage States parties to comply with their reporting obligations, and advocate for the participation of national human rights institutions and other parts of civil society in preparing reports. Mandate holders expressed appreciation for the general comments of treaty bodies, including for constructive dialogue with States parties, and encouraged stronger collaboration in other treaty body activities, such as days of general discussion, and proposed a day of discussion with all special procedures and members of treaty bodies.

11. The importance of systematized exchange of information between treaty bodies and special procedures was highlighted, and it was suggested that resources be allocated specifically for that purpose. The use of technology such as online data processes was suggested to facilitate this exchange. Participants highlighted the mutually reinforcing and complementary nature of the processes of the treaty bodies, special procedures and the universal periodic review mechanism, and it was suggested that treaty bodies and special procedures mandate holders jointly request OHCHR to include, in compilation reports, information on the degree to which States parties had cooperated with treaty bodies or special procedures. The Secretariat was asked to prepare a study regarding the allocation of resources to treaty bodies, special procedures and the mechanism.

12. The Chairperson of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment described the mandate of the Subcommittee and that it had similar working methods to those of special procedures, suggesting that the Coordination Committee of special procedures consider including the Subcommittee as an observer.

V. Discussion on equitable geographical distribution

13. Pursuant to resolution 63/167 of the General Assembly, in which the General Assembly requested the chairpersons of the human rights treaty bodies to consider that resolution at their next meeting and to submit, through the United Nations High Commissioner for Human Rights, specific recommendations for the achievement of the goal of equitable geographical distribution in the membership of the human rights treaty bodies, the chairpersons held a discussion on the matter.

14. Noting the importance of this issue, the chairpersons took account of the current membership of treaty bodies, identifying some trends, including the absence of African and Asian members of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the limited number of members from Eastern Europe in various treaty bodies. However, the chairpersons stressed that the nomination and election of treaty body members was regulated by the various treaties or in the case of the Committee on Economic, Social and Cultural Rights by resolution 1985/17 of the Economic and Social Council and was the responsibility of States parties. States parties should take the provisions in the legally binding human rights treaties into account, and give due consideration to equitable geographical distribution, representation of different forms of civilization and legal systems, balanced gender representation and independence and competence of experts from various professional fields.

VI. Meeting with the United Nations independent expert on minority issues

15. The chairpersons were briefed by the independent expert on minority issues on her report (A/HRC/10/11/Add.1) and her mandate, providing information on the Forum on Minority Issues established by Human Rights Council resolution 6/15. She noted that the first session of the Forum focused on the theme "Minorities and the right to education". The chairpersons recommended that the report of the Forum be provided to all treaty bodies to stimulate discussion of its recommendations and perhaps form the basis for the elaboration of a joint general comment on minority issues.

16. The independent expert also provided information on the upcoming second session of the Forum, whose thematic focus would be "Minorities and effective political participation". The importance of reliable and quality disaggregated data, the role of criminal law, political participation of minorities and their representation in other decision-making positions and quotas, minorities with disabilities and minorities deprived of their liberty were discussed, as was the right to individual choice in the context of the collective rights of minorities. Each treaty body was encouraged to take the output of the second session of the Forum into account, and to provide information on their approaches to political participation to the independent expert.

VII. Decisions and recommendations

17. The following decisions and recommendations were adopted:

Adoption of the points of agreement of the inter-committee meeting

(a) The twenty-first meeting of chairpersons endorsed the points of agreement concluded at the eighth and ninth inter-committee meetings. The chairpersons called upon the human rights treaty bodies to follow up those recommendations and to report on their implementation at the tenth inter-committee meeting in 2009.

Relationship with special procedures mandate holders

(b) The twenty-first meeting of chairpersons recognized the important contributions provided by special procedures mandate holders to the work of the treaty bodies and vice versa. They reiterated the importance of strengthening cooperation and coordination between the two mechanisms, in particular with regard to information sharing and more effective use of their mutual outputs. The chairpersons recommended that each treaty body consider designating a focal point to enhance cooperation, facilitate more effective interaction on country-specific and thematic issues and follow-up with the special procedures mandate holders. The chairpersons also recommended that joint meetings be convened in the context of the inter-committee meeting rather than the meeting of chairpersons. The Secretariat

was requested to prepare structured agendas for such joint meetings, identifying themes of common concern.

Human Rights Council

(c) The chairpersons underlined the complementary and mutually reinforcing nature of the treaty body system and the universal periodic review mechanism and emphasized the importance of a continuing dialogue on this matter. The chairpersons noted the positive value of the outcome of the universal periodic review, as an intergovernmental process. The chairpersons stressed that both processes were equally important and recommended that resource allocations reflect this principle. The chairpersons noted that significant human, financial and technical resource allocations to only one of the processes could be to the detriment of the effective functioning of the other. The chairpersons requested the Secretariat to provide a study analysing human and budgetary allocations to both processes, including trends in this context since the establishment of the Human Rights Council.

Equitable geographic distribution

(d) The twenty-first meeting of chairpersons took note of General Assembly resolution 63/167 on equitable geographical distribution in the membership of the human rights treaty bodies and recommended that States parties, when nominating and electing members of the treaty bodies, should take into account the provisions set out in the legally binding human rights instruments to this effect. States parties should give due consideration to equitable geographical distribution, independence of experts, representation of different forms of civilization and legal systems, balanced gender representation and expertise from various professional fields.

Independent expert on minorities

(e) The twenty-first meeting of chairpersons recommended that the report by the independent expert on minority issues (A/HRC/10/11/Add.1), containing the recommendations of the Forum on Minority Issues, as well as future reports on the Forum, be provided to all treaty bodies to encourage discussion of those recommendations and the possible elaboration of a joint general comment on minority issues.

Treaty body documentation

(f) The twenty-first meeting of chairpersons noted that the various treaty bodies continued to face difficulties in terms of translation and reiterated the recommendation of the eighth inter-committee meeting. To this end, the chairpersons:

(i) Expressed their deep concern for the more and more limited assistance in terms of translation;

(ii) Considered that this situation jeopardized the quality of their work, and generally rendered the functioning of their committees increasingly problematic;

(iii) Requested the Secretariat, through the translation services, as well as all the other concerned authorities, to provide sufficient services in terms of translation so as to enable a normal functioning of treaty bodies, in particular during sessions, pre-sessions meetings, and for the preparations of meetings.

Annex I

Report of the eighth inter-committee meeting of human rights treaty bodies

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I. Introduction

1. The eighth inter-committee meeting of the human rights treaty bodies was held at the Office of the United Nations High Commissioner for Human Rights (OHCHR) at Geneva from 1 to 3 December 2008.

2. The following members of human rights treaty bodies attended:

Human Rights Committee
Abdelfattah Amor
Michael O'Flaherty

Committee on the Elimination of Discrimination against Women
Dubravka Šimonović (Chairperson)
Cornelis Flinterman
Meriem Belmihoub-Zerdani

Committee on the Elimination of Racial Discrimination
Fatima-Binta Victoire Dah (Chairperson)
Nourredine Amir
Pierre-Richard Prosper

Subcommittee on Prevention of Torture
Zdenek Hajek

Committee on Economic, Social and Cultural Rights
Philippe Texier (Chairperson)
Rocio Barahona Riera
Waleed Sadi

Committee on the Rights of the Child
Yanghee Lee (Chairperson)
Kamel Filali
Lothar Friedrich Krappmann

Committee against Torture
Fernando Mariño Menéndez
Xuexian Wang

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
Abdelhamid El-Jamri (Chairperson)
Myriam Konsimbo Poussi

II. Opening of the meeting, election of officers and adoption of the agenda

3. The Director of the Human Rights Council and Treaties Division welcomed all chairpersons and members present on behalf of the High Commissioner for Human Rights and delivered a statement on her behalf, in which she noted that since her appointment on 1 September 2008, she had had interesting discussions with a number of the treaty bodies. She noted that she had become more familiar with the challenges and obstacles that all treaty bodies had to overcome in order to meet increasing demands and fulfil their tasks effectively, including as a result of their ever-increasing workload. She was aware of concerns in relation to the current staffing situation and resources, generally, and reiterated that she would do her utmost to address these issues. She was pleased to see that the treaty bodies had continued to develop innovative working methods, drawing from each other's experience in the process, with a view to ensuring that the treaty body system provided the best possible protection for rights-holders.

4. The High Commissioner referred to the progress achieved with regard to harmonization of treaty body working methods, including with regard to the revised harmonized reporting guidelines and the adoption of a common approach to reservations, as well as efforts to harmonize other areas. She was pleased that the

eighth treaty body monitoring a core treaty, the Committee on the Rights of Persons with Disabilities, would soon begin its work and that the Third Committee of the General Assembly had recently adopted the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by consensus. She considered that these new instruments would strengthen the system, which was not as accessible or visible as it should be. More treaty bodies might also be established in the future as treaties were developed to fill possible protection gaps, and harmonization, streamlining and simplification of the treaty body system were therefore imperatives.

5. The High Commissioner considered that the biannual inter-committee meetings could serve as the vehicle for the promotion and coordination of the treaty body system, including the harmonization of treaty body working methods. She strongly encouraged the participants to develop and adopt a long-term programme of work on possible areas for improvement and harmonization of treaty body working methods, and include targets and timelines for the work of the next four to six inter-committee meetings. She strongly recommended that members of treaty bodies designated to attend the inter-committee meetings be vested with authority to take decisions that were binding on their respective committees. Finally, she affirmed that she would be very happy to be involved with the treaty bodies in identifying long-term strategies to address the challenges and obstacles that the treaty body system was facing, including in the context of harmonization of working methods, and welcomed the suggestions of the inter-committee meeting in this regard.

6. Following the statement of the High Commissioner, Fatima-Binta Victoire Dah, Chairperson of the Committee on the Elimination of Racial Discrimination, was confirmed as the Chairperson/Rapporteur and Dubravka Šimonović, Chairperson of the Committee on the Elimination of Discrimination against Women, was confirmed as Vice-Chairperson. The participants adopted the agenda (HRI/ICM/2008/2), with the addition of a more general agenda item entitled "The inter-committee meeting", and the programme of work.

III. Enhancing the effectiveness of the treaty bodies: a coordinated approach to the work of the treaty bodies

7. Under this agenda item, participants discussed improvement and harmonization of the treaty body working methods. Pursuant to a recommendation of the seventh inter-committee meeting, the eighth inter-committee meeting focused on four issues: the revised treaty-specific guidelines; follow-up to concluding observations; consideration of a State party in the absence of a report; and the universal periodic review. Participants also considered a draft programme of work prepared by the Secretariat, identifying possible areas of harmonization. Non-governmental organizations (NGOs) present were provided with the opportunity to speak under each agenda item.

Revised treaty-specific guidelines

8. The participants provided information on progress in relation to the revised treaty-specific guidelines. The Committee on the Elimination of Racial

Discrimination, the Committee on the Elimination of Discrimination against Women, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and most recently the Committee on Economic, Social and Cultural Rights had adopted such treaty-specific guidelines, while other committees had initiated discussions on the matter. The Human Rights Committee had decided to draft new guidelines and would appoint a rapporteur at its next session in March 2009. Following its forty-ninth session, the Committee on the Rights of the Child held a two-day workshop in October 2008, funded by the United Nations Children's Fund (UNICEF) National Committee for Korea, to discuss its revised treaty-specific guidelines on both the Convention on the Rights of the Child and the two Optional Protocols to it. The Committee planned to adopt its revised guidelines at its next session in January 2009, while the Committee against Torture had requested the Secretariat to prepare draft treaty-specific reporting guidelines, taking due account of the guidelines for the common core document, which they would discuss the draft at its next session in May 2009.

9. Participants generally agreed that the treaty-specific guidelines simplified reporting and made the procedures more manageable for the States. The inter-committee meeting endorsed the recommendation of the seventh inter-committee meeting that all treaty bodies should aim at adopting their treaty-specific guidelines by the end of 2009. States parties would be urged to use the new reporting system as a whole, consisting of a common core document and a treaty-specific document, as of 2010. It was also agreed that States parties should be encouraged to use the approved harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (as contained in document HRI/GEN/2/Rev.5) and the treaty-specific guidelines already adopted, when submitting a report to any human rights treaty body. The importance of technical assistance for States parties that had encountered problems with their reporting or lacked the necessary capacity and/or resources was also underlined.

10. Participants discussed the need to set a date for evaluation of the new reporting system as a whole. Some participants were in favour of the identification of such a date so that concerns, including the difficulty of drawing the line between what should be included in the common core document and the treaty-specific document, especially in the context of non-discrimination, could be addressed. Others were of the view that such an evaluation date should not be set at this stage.

Consideration of a State party in the absence of a report

11. Most committees had adopted the practice, sometimes referred to as the "review procedure", of examining the implementation of the relevant treaty in the State party in the absence of a report, and they highlighted their experiences in that respect. The representatives of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families noted that the Committee had discussed the issue in preparation of the inter-committee meeting but that it did not have a common position. Participants indicated that notification by a committee to a State party of its intention to examine implementation in the absence of a report could be a very effective way of engaging non-reporting States parties, as they were generally prompted to submit the overdue report or to signal their intention to do so. Participants reiterated that examination of States parties in the absence of a report

should be a measure of last resort, with the focus being on engaging in a constructive dialogue with the State party concerned. The possibility of adopting common modalities was discussed, with participants stressing the importance of providing States parties with one last opportunity, through a reminder, to submit its report. In the absence of a response from the State party, the treaty bodies would often formulate and transmit a list of issues to the State party. In the absence of a reply from the State party, some committees, such as the Human Rights Committee, adopted provisional concluding observations, while others, such as the Committee on the Elimination of Racial Discrimination, formulated public and final concluding observations.

12. The participants requested the Secretariat to produce a list of non-reporting States, including initial and periodic. Such a list would enable the committees and the inter-committee meeting to identify trends and patterns of non-reporting and would facilitate a broader understanding of the problem, including reasons for non-reporting, such as: lack of resources, capacity or political will. The Secretariat was also requested to produce a paper on experiences of the review procedure. Participants noted that each non-reporting State should be considered in accordance with its specific situation, taking into account, in particular, the overdue period, the human rights situation in the country and any specific difficulties that the State party might face. Some participants stressed the important role of OHCHR and encouraged the Office to engage proactively in capacity-building and technical assistance activities, in particular, through its regional and field presences.

Follow-up to concluding observations

13. Participants noted that all treaty bodies requested States parties to provide information on the implementation of the recommendations contained in the previous concluding observations in their subsequent reports or during the constructive dialogue. Several treaty bodies had introduced formal procedures to monitor more closely the implementation of specific concluding observations, and the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture had had a follow-up procedure for a significant period of time.

14. At its forty-first session in July 2008, the Committee on the Elimination of Discrimination against Women had introduced a follow-up procedure with the identification of urgent and protective follow-up recommendations contained in the concluding observations. The request would call upon States parties to provide such information to the Committee within a period of one or two years. The representatives of the Committee on Economic, Social and Cultural Rights noted that the Committee might, in its concluding observations, make a specific request to a State party to provide more information or statistical data prior to the date on which the next periodic report was due. Information provided in accordance with this procedure would be considered at the next pre-sessional working group.

15. The Committee on the Rights of the Child did not have a written follow-up procedure, nor did it identify priority issues for follow-up in its concluding observations as, given its heavy workload resulting from its mandate to consider reports under three treaties (the Convention and its two Protocols) and the special role that UNICEF played in the follow-up to the Committee on the Rights of the

Child concluding observations, the introduction of a formal follow-up procedure was not considered the best approach. However, the Committee on the Rights of the Child was aware of the discussions taking place in the other treaty bodies and emphasized that it was open to a discussion on follow-up. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, being the youngest Committee, had yet to establish a follow-up procedure, but had discussed follow-up and would continue discussing this issue at its tenth session in April 2009.

16. A small working group of participants in the inter-committee meeting, consisting of the follow-up rapporteurs, if applicable, and other interested members, was established to consider follow-up, and presented a brief paper on the issue to the plenary. Participants emphasized that follow-up procedures were affected by lack of human and financial resources for the work of treaty bodies generally. The suggestion was made that the follow-up rapporteurs, if applicable, or other representatives of the various committees, could meet and discuss best practices and exchange ideas in respect of follow-up to concluding observations, as well as follow-up workshops, and that an inter-committee working group or task force could be established for that purpose. The point was also made that there should be a discussion on common means of improving the follow-up procedure.

17. Participants highlighted the need for allocation of additional resources to follow-up activities, especially for workshops, meetings and country visits, and that treaty body members be more involved in those activities. The inter-committee meeting also emphasized the important role played by national human rights institutions and civil society, including NGOs, in respect of follow-up at the national level.

18. Furthermore, participants recommended that each treaty body complete an assessment and analysis of its follow-up procedure, identifying difficulties, obstacles and results, by 2010. Based upon the results of the assessments at the committee level, a common assessment of the follow-up procedures would then be conducted in 2010 by the working group or task force.

19. Based on a brief discussion of following up views on individual complaints, participants reaffirmed the importance of consolidating, and possibly strengthening, the procedures already in place. The suggestion was made that this issue should be included in the long-term programme of work on harmonization.

Discussion on the universal periodic review mechanism

20. The seventh inter-committee meeting had decided to include the universal periodic review mechanism as a standing agenda item and participants at the eighth inter-committee meeting continued their dialogue on this matter, taking into account the fact that the mechanism was still at an early stage in its development. It was generally agreed that there was a need to develop effective cooperation between the treaty bodies and the Human Rights Council and to strengthen institutional links among them. The individual treaty bodies were encouraged to discuss this issue and to make proposals that could be considered at the ninth inter-committee meeting in June 2009.

21. Participants underlined the complementary and mutually reinforcing nature of the treaty body system and the universal periodic review mechanism, but emphasized that the two processes were distinct. Participants also discussed whether treaty body members should be present during the universal periodic review mechanism dialogue. One member noted that the treaty bodies should institutionally form part of the mechanism and underlined the need to create organic links between the two, whereas most members, referring to the dual nature of the two processes, did not support that proposal.

22. Participants highlighted experiences from their respective committees with regard to universal periodic review mechanism documentation. Most found that the mechanism documents had proven very helpful in their consideration of State reports. Some members noted that the compilations prepared by OHCHR with summaries of United Nations information, including treaty body information, were useful as they condensed a great deal of information. The outcome documents of the universal periodic review mechanism, and particularly the pledges made by States parties, such as in relation to reservations, had been referred to in some instances, and the meeting encouraged the treaty bodies to continue this practice. The Secretariat was called on to routinely make the compilations prepared by OHCHR for the universal periodic reviews, as well as the output of the reviews available to treaty bodies.

23. Some participants commented that the compilation's page limit of 10 pages was inadequate. Others were of the view that the treaty bodies should be directly involved in the drafting processes and that there was a need for enhanced cooperation with the Secretariat when producing the compilations. Some participants noted that the universal periodic review mechanism process motivated the treaty bodies to produce even better and more concrete concluding observations and that the mechanism could be seen as an impetus for the treaty bodies to improve their work. A few members highlighted that the biggest potential of the mechanism could lie in the national consultation process and that there should be more emphasis on treaty obligations in this process. It was suggested that treaty bodies should consider further prioritizing concerns in their concluding observations so that these are appropriately reflected in the United Nations compilations prepared by OHCHR.

Other issues

24. In addition to the four identified areas, participants discussed a number of other potential areas for harmonization, including modalities of the participation of NGOs and national human rights institutions, the development of joint general comments and media strategies. All agreed that additional human and financial resources should be allocated by OHCHR to the Human Rights Treaties Branch in order to ensure effective and continuous support for the work of the treaty bodies.

25. The meeting agreed to adopt a programme of work on possible areas for improvement and harmonization of working methods, including targets, short and long-term objectives, and timelines for the next three to four inter-committee meetings. The meeting also agreed that the agenda items for the ninth inter-committee meeting would be: the identity/role of the country rapporteur/country task force, cross-referencing the work of other treaty bodies, standardization of

terminology, participation of national human rights institutions, States parties and NGOs, and the universal periodic review mechanism.

IV. Dialogue with non-governmental organizations

26. Representatives of a number of NGOs participated in the eighth inter-committee meeting, including Amnesty International; International Women's Rights Action Watch; International Service for Human Rights; Friends World Committee for Consultation (Quaker United Nations Office); ARC International; and the Centre for Civil and Political Rights.

27. The NGO representatives pointed to a number of issues in respect of possible areas of harmonization with a view to enhancing the effectiveness of human rights treaty monitoring bodies and improving NGO contributions in the treaty body procedures. Other issues raised by the NGOs included: the relationship between the universal periodic review mechanism and the treaty bodies, the possibility of issuing joint general comments and of adopting media strategies to increase the visibility of the treaty body system, as well as the criteria for treaty body membership. While acknowledging that they sometimes submitted too much information to the treaty bodies, the NGOs noted that they would attempt to limit the number of pages and to submit more joint NGO reports, including through NGO coalitions.

28. The inter-committee meeting participants highlighted the importance of NGO information for the work of the treaty bodies and welcomed the interesting and pertinent suggestions from the NGOs on how to improve their working methods, short- and long-term, and the coordination between the treaty bodies.

29. Participants emphasized the important role played by national human rights institutions and civil society, including NGOs, in respect of follow-up at the national level. The point was made that, in addition to follow-up activities, NGOs should spread the word as to how States parties were living up to their international commitments. One NGO suggested the establishment of a joint early-warning procedure to deal with serious human rights violations.

30. Some inter-committee meeting participants stressed that the best timing for NGO input was in the process of drafting lists of issues, and they reiterated that NGOs should send information well in advance of treaty body sessions to allow committee members the opportunity to take those important submissions into account, including for the preparation of lists of issues, and to continue to reinforce and strengthen the implementation of the conclusions of the treaty bodies. NGOs were encouraged to provide information on all States parties whose reports were going to be considered by the treaty bodies, and endeavour to create NGO coalitions to facilitate the participation of national NGOs.

31. Several inter-committee meeting participants underlined that, with regard to the relationship between the universal periodic review mechanism and the treaty bodies, it was important to keep the autonomy of the treaty bodies and not put their independence at risk. The common aim of both systems was to assist States parties in strengthening the protection of human rights at the national level. The appointment of treaty body experts and their independence was also discussed, and one member suggested that a selection panel could be established to interview potential experts in order to, inter alia, ensure that they had a human rights profile.

32. As regards joint general comments, the point was made that at present there was no shared vision as to the purpose of general comments. For some committees it was a rather juridical text and for others a more broad policy level approach, and the general comments might have different functions. However, some members underlined that the process of elaborating general comments benefited from NGO contributions.

33. The participants decided to include the issue of NGO participation as an agenda item for the ninth inter-committee meeting, and the Chairperson suggested that NGOs should provide more concrete information on their current activities and what they intended to do in the future.

V. Informal consultations with States parties

34. The eighth inter-committee meeting held informal consultations with States parties on 2 December 2008, in which approximately 35 States participated.

35. The Chairperson noted that it was the first time that the inter-committee meeting had held two annual meetings. She indicated that the deadline for the completion of all treaty-specific guidelines had been reconfirmed for the end of 2009 and that, as of 2010, the States parties would be urged to use the new reporting system as a whole, consisting of a common core document and a treaty-specific document. She informed States parties that the issue of follow-up had been discussed and that the inter-committee meeting had decided to set up a working group/task force on follow-up to concluding observations. She highlighted the recommendations of the inter-committee meeting in respect of the consideration of a State party in the absence of a report and the relationship between the treaty bodies and the universal periodic review mechanism. In this respect, she indicated that the meeting had discussed the possibility of adopting concluding observations with a certain amount of prioritization. She also noted that the High Commissioner had strongly recommended that members of treaty bodies designated to attend the inter-committee meeting be vested with authority to take decisions that were binding on their respective committees.

36. States welcomed the opportunity to engage in consultations with the inter-committee meeting, indicating that these provided a platform for dialogue and interaction. Reiterating their support for the work of the treaty bodies, they stressed that the treaty bodies were crucial and fundamental to protecting and promoting human rights throughout the world.

37. Several States commended the treaty bodies for their continued engagement in the process of reform and their preparedness to test new approaches, adopt innovative working methods and explore areas of harmonization. However, States agreed that there was room for improvement, and they supported and encouraged further harmonization and coordination of the working methods of the treaty bodies, including in the examination of reports and follow-up procedures, which would make the system more comprehensible and accessible.

38. A large number of States noted that the treaty body system and the universal periodic review mechanism should complement and mutually reinforce each other. It was stressed that the mechanism should not duplicate other existing mechanisms and that there was a need to create positive synergies between the mechanism and

the treaty body system. In addition, many States emphasized the independent role and rationale of treaty bodies vis-à-vis the mechanism. Noting that they had a certain amount of experience with the procedure, some States referred to their own experiences in the first three universal periodic review sessions, both as States under review and when reviewing others. Several references had been made to treaty body recommendations and to the need to ratify the core treaties to which the State concerned was not yet a member. Some States noted that the mechanism could provide an additional tool in the follow-up of treaty body recommendations and vice versa. One State considered that the treaty bodies should not refer to the voluntary contributions or pledges made by the States parties in the context of the mechanism, as these could only be followed up by the mechanism. The compilation of treaty body and special procedures information prepared by OHCHR was highlighted as an important tool for the mechanism, and treaty bodies were encouraged to prioritize their concerns and recommendations.

39. Drawing on their own experiences, a number of States noted that the treaty bodies could improve their working methods in the consideration of reports. Some States suggested that there should be an equal proportion of time dedicated to questions and remarks by treaty body members and answers by the State party concerned. The repetition of questions and more lengthy statements should be avoided, and questions should be focused on matters addressed by the treaty concern and questions could refer to the relevant articles.

40. Some States expressed concern at possible uneven treatment of countries in the reporting procedure, not only in terms of content but also procedure. They underlined that the human rights situation in each country should be evaluated in an objective manner, which focused on the current situation, rather than on previous reviews. Some States suggested that the concluding observations should reflect the positive commitment of Governments expressed during the constructive dialogue.

41. A few States referred to the information gathering processes and expressed regret that some sources were given priority over others, and they highlighted the need for transparency when examining information. As it was important for the committees to acquire full knowledge of national legislation, one State suggested that legal advisers provided by the State party could assist during the consideration of the report. The possibility of tripartite meetings among the treaty body, the State party concerned and NGOs was also put forward.

42. One State noted that requests for follow-up information included in the concluding observations were not envisaged in the treaties themselves, and that this practice might be an unworkable and burdensome requirement, whereas treaty bodies should focus their limited resources on reporting, instead of on follow-up.

43. Some States noted that a number of treaty bodies had requested the General Assembly to grant them additional meeting time, especially in the light of increased ratifications. They recommended that treaty bodies should consider adopting a common and comprehensive strategy in this context. One State noted that extension of the meeting time of treaty bodies might discourage some experts from agreeing to be put forward for membership of treaty bodies because of the time commitments involved.

44. A number of States noted that the Committees should reflect on ways to address their respective backlogs and possibly adopt a common strategy in order to

achieve a durable solution. Other issues raised included the possibility of targeted or focused reports, including on the basis of a list of issues sent to the State prior to the submission of its report. The point was also made that NGOs and national human rights institutions have a key role to play in the review process. Some States welcomed the idea of setting up an inter-committee working group to exchange information among the committees so as to facilitate the work and improve efficiency. There was also a call for harmonization in the practices relating to the appointment of rapporteurs, and whether their identities were known.

45. Some States highlighted that the comments and suggestions put forward in the course of the informal consultations should be given due regard and that the inter-committee meeting should reflect on how this could be done in the best possible way. A number of States supported treaty bodies, including those more recently established, in their quest for more human and financial resources. States drew attention to the importance of translation of documentation and made clear that, if documents were not available in all United Nations languages, access would be limited.

46. In response, committee members referred to the progress that had taken place in respect of harmonization of working methods, including the adoption of a programme of work on harmonization. They described the experiences of their individual committees in respect of backlog, as well as requests for additional meeting time and/or parallel chambers, noting that approval of such requests generally resulted in clearing of the backlog. The point was also made that when treaty bodies requested more meeting time, this was decided on an objective and treaty-specific basis by each individual treaty body.

47. In response to a question raised by one State party with respect to possible dialogues among the treaty bodies and the Human Rights Council and the Third Committee of the General Assembly, some members noted that when treaty bodies had had an opportunity to come before the Council or the Third Committee, they had come only to report, without the possibility to engage in a constructive dialogue, and they hoped that that would be changed in the future.

48. Suggesting that a full day be devoted at the ninth inter-committee meeting in 2009 to the informal consultations with States to continue the dialogue, members welcomed the comments and constructive criticism from the States parties and took note of the reservations expressed. Some members referred to the concerns expressed by a number of States in respect of sources of information, including suggestions of lack of balance and transparency. They noted that they received information from a variety of sources and wished to keep this diversity. However, they valued transparency, and public reports of NGOs were posted on the website, and thus made available to States parties.

VI. Draft points of agreement of the eighth inter-committee meeting

49. The eighth inter-committee meeting decided on the following points of agreement, to be transmitted to the twenty-first meeting of chairpersons in June/July 2009:

Inter-committee meeting

(a) The eighth inter-committee meeting reiterated the view that the inter-committee meeting provided a useful forum for discussing matters of mutual concern and strengthening harmonization among the treaty bodies.

(b) The eighth inter-committee meeting decided that the agenda items for the ninth inter-committee meeting would be the following: the identity/role of the country rapporteur/country task force, cross-referencing the work of other treaty bodies, standardization of terminology, the participation of national human rights institutions, States parties and NGOs, and the universal periodic review mechanism of the Human Rights Council.

(c) The eighth inter-committee meeting requested the Secretariat to prepare a briefing note on the history of the inter-committee meeting and meeting of chairpersons and to distribute it to all the treaty bodies. All treaty bodies should carefully study the note and discuss the possibility of a merger of the inter-committee meeting and meeting of chairpersons that would allow for the ninth inter-committee meeting to take a decision on this issue. All treaty bodies should also consider whether the inter-committee meeting should be given an enhanced decision-making role with regard to harmonization of working methods.

Human and financial resources

(d) The eighth inter-committee meeting recommended that OHCHR should allocate additional human and financial resources for the Human Rights Treaties Branch in order to ensure effective and continuous support for the work of the treaty bodies.

Revised harmonized reporting guidelines

(e) Noting that a majority of treaty bodies had adopted revised guidelines for treaty-specific documents on reporting under the international human rights treaties, the eighth inter-committee meeting reaffirmed that the remaining treaty bodies should aim at completing the adoption of their revised guidelines by the end of 2009. As of 2010, States parties would be urged to use the new reporting system as a whole, consisting of a common core document and a treaty-specific document. In the meantime, States parties were encouraged to use the approved harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (as contained in document HRI/GEN/2/Rev.5) and the treaty-specific guidelines already adopted, when submitting a report to a human rights treaty body. OHCHR is encouraged to proactively engage in capacity-building and technical assistance activities, in particular, through its regional and field presences.

Consideration of a State party in the absence of a report

(f) The eighth inter-committee meeting noted that the absence of State party reports on treaty implementation, including initial reports, affected all treaty bodies.

While the consideration of a report, as well as the establishment of a constructive dialogue with States parties, will always be the objective of treaty bodies, long overdue initial and periodic reports would seriously hamper the monitoring mandate of treaty bodies and the implementation of treaty provisions. Non-reporting States should be reminded of their overdue reporting obligations and encouraged to report, and, as a last resort, treaty bodies should consider reviewing the implementation of treaties in the absence of a report and adopt concluding observations in that respect.

(g) The eighth inter-committee meeting requested the Secretariat to produce a list of non-reporting States, including initial and periodic, in order to identify trends and patterns of non-reporting. The Secretariat was also requested to produce a paper on best practices/lessons learned from the review procedure. Each non-reporting State should be considered in accordance with its specific situation, taking into account, in particular, the overdue period, the human rights situation in the country and any specific difficulties that the State party might face. OHCHR is encouraged to proactively engage in capacity-building and technical assistance activities in relation to the submission of reports, in particular, through its regional and field presences.

Follow-up to concluding observations

(h) The eighth inter-committee meeting reiterated its previous recommendation that each treaty body consider adopting a procedure within a reasonable period of time to ensure effective follow-up to concluding observations, such as the appointment of a rapporteur on follow-up or any other appropriate mechanism.

(i) The eighth inter-committee meeting reiterated its previous recommendation that additional resources be allocated to follow-up activities, especially for workshops, meetings and country visits and that treaty body members be more involved in those activities. The eighth inter-committee meeting also emphasized the important role played by national human rights institutions and civil society, including NGOs, in respect of follow-up at the national level.

(j) The eighth inter-committee meeting also reiterated its previous recommendation that a working group/task force on follow-up to concluding observations be established inter-sessionally, consisting of the rapporteur for follow-up on concluding observations of each treaty body, if applicable, or the members responsible for follow-up activities. Such a working group/task force could, among other things, identify best practices in respect of follow-up and consider possible areas of harmonization in this respect, and consider the possibility of integrated follow-up. The working group/task force should report back to the ninth inter-committee meeting in 2009 on its findings.

(k) The eighth inter-committee meeting recommended that each treaty body complete an assessment and analysis of its follow-up procedure, identifying difficulties, obstacles and results, by 2010. Based upon the results of the assessments at the committee level, the eighth inter-committee meeting recommended that a common assessment of the follow-up procedures be conducted in 2010 by the working group/task force. Such an assessment would facilitate the identification of possible areas of harmonization and the future development of the best possible procedure on follow-up for all the treaty bodies.

(l) The eighth inter-committee meeting further recommended that follow-up information received by one treaty body be shared with the other treaty bodies, including in respect of cross-cutting issues and issues of common concern.

Follow-up on individual communications

(m) The eighth inter-committee meeting reaffirmed the importance of consolidating, and possibly strengthening, the procedures in place for following up on individual communications. The rapporteurs on follow-up to individual communications should join the working group/task force on follow-up.

Universal periodic review mechanism of the Human Rights Council

(n) The eighth inter-committee meeting reiterated the conclusion of the twentieth meeting of chairpersons of human rights treaty bodies that there was a need to develop effective cooperation between the treaty bodies and the Human Rights Council and strengthen institutional links among them. It recommended that treaty bodies discuss this issue and make proposals that could be discussed at the ninth inter-committee meeting in June 2009.

(o) The eighth inter-committee meeting recalled the conclusion of the twentieth meeting of chairpersons of human rights treaty bodies underlining the complementary and mutually reinforcing nature of the treaty body system and the universal periodic review mechanism of the Human Rights Council. The meeting also emphasized the importance of a continuing dialogue on this matter, taking into account the fact that the universal periodic review mechanism is still at an early stage in its development.

(p) The eighth inter-committee meeting repeated the recommendation of the seventh inter-committee meeting that the Secretariat routinely make available to the treaty bodies the compilations prepared by OHCHR for the universal periodic review mechanism, as well as the output of the reviews.

(q) The eighth inter-committee meeting recommended that human rights treaty bodies consider further prioritizing concerns in their concluding observations so that these are appropriately reflected in the compilations that contain summaries of United Nations information, including treaty body information, and are prepared by OHCHR.

(r) The eighth inter-committee meeting recommended that treaty bodies continue to refer to the pledges and commitments made by States parties in the context of universal periodic review during their dialogue with States parties and concluding observations.

Informal consultations with States parties

(s) The eighth inter-committee meeting emphasized that the informal consultations with States parties provided an important platform for dialogue and interaction and recommended that a full one-day meeting should be allocated for the informal consultations with States parties in the context of the ninth inter-committee

meeting in 2009. The inter-committee meeting requested the Secretariat, in consultation with the treaty bodies, to prepare a specific and focused agenda for this meeting.

Cooperation with non-governmental organizations

(t) The eighth inter-committee meeting reiterated previous recommendations that NGOs send information well in advance of treaty body sessions to allow committee members the opportunity to take those important submissions into account, including for the preparation of lists of issues, and to continue to reinforce and strengthen the implementation of the conclusions of the treaty bodies.

Access to treaty body deliberations

(u) The eighth inter-committee meeting emphasized the necessity to make the work of treaty bodies more widely known and encouraged the treaty bodies that had not already done so to discuss and adopt media strategies and to work towards a common media strategy, with the assistance and advice of OHCHR. The inter-committee meeting also recommended that OHCHR explore alternative means of facilitating the broadest public access to the treaty body public examinations of periodic reports, including the possibility of webcasting and using other modern technologies.

Treaty body documentation

(v) The eighth inter-committee meeting, noting the increasing difficulties the various treaty bodies are facing in terms of translation:

(i) Expressed its deep concern for the more and more limited assistance in terms of translation;

(ii) Considered that that situation jeopardized the quality of their work, and generally, rendered the functioning of their committees increasingly problematic;

(iii) Calls insistently for the translation services, as well as all the other concerned authorities, to provide sufficient services in terms of translation so as to enable a normal functioning of treaty bodies, in particular during session and pre-session meetings and for the preparations of meetings.

Annex II

Report of the ninth inter-committee meeting of human rights treaty bodies

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I. Introduction

1. The ninth inter-committee meeting of the human rights treaty bodies was held at the Office of the United Nations High Commissioner for Human Rights (OHCHR) at Geneva from 29 June to 1 July 2009.

The following members of human rights treaty bodies attended:

Human Rights Committee
Yuji Iwasawa (Chairperson)
Rafael Rivas Posada
Iulia Antoanella Motoc

Committee on the Elimination of Discrimination against Women
Naela Gabr (Chairperson)
Ruth Halperin-Kaddari
Silvia Pimentel

Committee on the Elimination of Racial Discrimination
Fatima-Binta Victoire Dah (Chairperson)
Alexei Avtonomov
Nourredine Amir

Subcommittee on Prevention of Torture
Victor Manuel Rodriguez Rescia (Chairperson)
Mario Luis Coriolano
Zdenek Hájek

Committee on the Rights of Persons with Disabilities
Mohammed al-Tarawneh (Chairperson)
Maria Soledad Cisternas Reyes

Committee on Economic, Social and Cultural Rights
Jaime Marchan Romero (Chairperson)
Mohamed Ezzeldin Abdel-Moneim
Waleed Sadi

Committee on the Rights of the Child
Yanghee Lee (Chairperson)
Hatem Kotrane
Dainius Puras

Committee against Torture
Claudio Grossmann (Chairperson)
Felice Gaer
Fernando Mariño Menéndez

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
Abdelhamid El-Jamri (Chairperson)
Ana Elizabeth Cubias Medina
Prasad Kariyawasam

II. Opening of the meeting, election of officers and adoption of the agenda

2. The meeting was opened by Ibrahim Salama, Chief of the Human Rights Treaties Branch, who particularly welcomed the Chairperson of the Committee on the Rights of Persons with Disabilities and his colleague, noting that the Committee had recently been added to the network of human rights treaty bodies and that there were very high expectations of the contribution it could make in closing the protection gap for women, men, girls and boys with disabilities.

3. Mr. Salama noted that the focus of the biannual inter-committee meeting was harmonization of working methods, not for the sake of uniformity, but to ensure that

the treaty body system was as accessible and visible as possible and a strong force for change at the national level. Emphasizing that the treaty bodies were the pillars of the human rights protection system enjoying the highest legitimacy, he made clear that the main challenge for the future was how to strengthen the treaty body system.

4. The Chairperson of the seventh and eighth inter-committee meetings and twentieth meeting of chairpersons, Ms. Dah (Committee on the Elimination of Racial Discrimination), introduced the report on the implementation of the recommendations of those meetings (HRI/MC/2009/2). She referred to recent developments, including the adoption by the General Assembly, on 10 December 2008, of the Optional Protocol to the Covenant on Economic, Social and Cultural Rights, providing the Committee on Economic, Social and Cultural Rights with broader monitoring competence. She also referred to the first session of the Committee on the Rights of Persons with Disabilities and its discussions on its rules of procedure and working methods.

5. Ms. Dah drew attention to the Durban Review Conference, convened in Geneva from 20 to 24 April 2009, which evaluated progress towards the goals set by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa in 2001. The outcome document of the Conference, adopted by consensus, would strengthen the political commitment to the implementation of the Durban Declaration and Programme of Action.

6. Naéla Gabr, Chairperson of the Committee on the Elimination of Discrimination against Women, was elected Chairperson/Rapporteur, and Yanghee Lee, Chairperson of the Committee on the Rights of the Child, and Mohammed al-Tarawneh, Chairperson of the Committee on the Rights of Persons with Disabilities, were elected Vice-Chairpersons. Participants adopted the agenda (HRI/ICM/2009/1) and the programme of work.

III. Meeting with the United Nations High Commissioner for Human Rights

7. On 29 June 2009, in an exchange of views with participants, the High Commissioner welcomed the Chairperson of the Committee on the Rights of Persons with Disabilities and his colleague and, noting that the Convention on the Rights of Persons with Disabilities had been described as a paradigm shift in the way disability was considered, expressed confidence that the Committee would ensure that disability issues were mainstreamed into the work of all human rights bodies, particularly treaty bodies. She referred to the unanimous adoption by the General Assembly of the Optional Protocol to the Covenant on Economic, Social and Cultural Rights and to the Durban Review Conference and its outcome document, which, inter alia, identified follow-up initiatives that OHCHR would lead. Among these was the organization in various regions of the world of a series of expert seminars on the links between articles 19 and 20 of the International Covenant on Civil and Political Rights dealing with freedom of expression and the prohibition of incitement to racial and religious hatred.

8. The High Commissioner indicated that she had had interesting discussions with most treaty bodies, except the Committee on the Rights of Persons with Disabilities which she looked forward to meeting with in October. She had been struck by the commitment and desire of the treaty bodies to develop new ways to encourage States parties to implement their human rights obligations at the national level and was convinced that the treaty bodies were the cornerstone of the normative human rights framework. She had become more familiar with the challenges and obstacles that all treaty bodies had to overcome in order to meet increasing demands and fulfil their tasks effectively, including because of their ever-increasing workload, and she was aware of the creative thinking that treaty bodies had embarked on to find solutions. She was pleased to see that the treaty bodies had continued to develop innovative working methods, and reiterated her strong support for these endeavours, as well as for their efforts towards harmonization of working methods. She had also taken note of concerns in relation to the current staffing situation and resources, generally, and pledged to do her utmost to address these issues.

9. The High Commissioner reiterated her view that the biannual inter-committee meetings could serve as the vehicle for the promotion and coordination of the treaty body system, including the harmonization of working methods. She further reiterated her recommendation that members of treaty bodies designated to attend the inter-committee meeting be vested with authority to take decisions that were binding on their respective committees. She also indicated that she would be very happy to be involved with the treaty bodies in identifying long-term strategies to address the challenges they face.

IV. Follow-up to the recommendations of the seventh and eighth inter-committee meetings of human rights treaty bodies

10. The ninth inter-committee meeting focused on: the identity/role of the country rapporteur/country task force; cross-referencing the work of other treaty bodies; standardization of terminology; participation of States parties, national human rights institutions and non-governmental organizations; the universal periodic review; follow-up to concluding observations; and the role of the ICM and chairpersons' meeting. United Nations bodies and NGOs were invited to speak under each agenda item.

Identity/role of the country rapporteur/country task force

11. All treaty bodies had adopted the practice of designating rapporteurs on the reports of States parties to facilitate consideration, but the output of each treaty body, including concluding observations, remained the collective responsibility of the treaty body as a whole. Most treaty bodies made the identity of rapporteurs public, as, in practice, their identity was known. The Committee on the Rights of the Child considered that its co-rapporteurs were a crucial point of contact for States parties and other stakeholders, particularly as it had no formal follow-up procedure. The Human Rights Committee had discussed the issue, but decided to maintain its practice of confidentiality in this context, in the light of possible pressure or public criticism that rapporteurs could face.

12. Participants defined task forces as comprised of three to five experts who led the preparation of dialogue with States parties, including lists of issues and questions, and facilitated coordination. Task forces were not used by all committees; for example, the Committee on the Rights of the Child distributed work according to expertise, with a view to ensuring complementarity among experts and emphasizing the responsibility of the committee as a whole.

Cross-referencing the work of other treaty bodies

13. Participants noted that all treaty bodies received the concluding observations, general comments/recommendations and other output of other committees and were thus aware of the approach of other committees to issues. Some committees often raised issues based on the output of other treaty bodies, but considered that this practice could be strengthened as there was value in referencing the output of other treaty bodies in their concluding observations and lists of issues, including as a means of harmonization. Given the specificity of the treaties, differences of opinion and findings among committees had occurred and were justifiable if based on proper consideration. Participants underlined that all treaty bodies promoted ratification of the full range of international human rights treaties.

Standardization of terminology

14. The Secretariat was requested to submit a comparative study on treaty body terminology to serve as a basis for discussion on possible standardization in this area.

Participation of States parties, national human rights institutions and non-governmental organizations

15. The importance of the relationship among treaty bodies, national human rights institutions and NGOs was emphasized, and the ongoing close cooperation enjoyed by a number of committees in this regard was described. Information provided by these actors was critical for the dialogue with States parties, and they had an important role at the national level in follow-up to concluding observations. The possibility that those providing information to committees might suffer reprisals was discussed, and various options, such as the appointment by each committee of a focal point on this issue, were suggested.

16. Strong support was expressed for a simplified and more accessible website, and the provision of an annual "master calendar" of all meetings, linked to documentation. Priority attention should be given to broadcasting and webcasting of public meetings or, at a minimum, the provision of audio transmissions or recordings of these online, especially to facilitate follow-up and preparation of the next reporting round. The organization of thematic discussions among treaty body experts, thematic and regional experts from OHCHR and other United Nations bodies at lunch-time side events during sessions was suggested. The appointment of a focal point by each committee tasked to liaise with United Nations entities was also recommended.

17. The distinct roles of national human rights institutions and NGOs were emphasized, and the varied levels of involvement and awareness among them was highlighted. More harmonization in the practices of treaty bodies relating to the participation of national human rights institutions and NGOs was called for, while treaty body participants invited national human rights institutions and NGOs to provide documentation well in advance of the sessions. The creation of national NGO coalitions, in order to foster learning and lend greater weight to NGO submissions, was also suggested.

Universal periodic review mechanism

18. Participants emphasized the value and complementarity of the universal periodic review mechanism and the treaty body system and noted that the level of resources allocated by OHCHR to both mechanisms should reflect this. Participants expressed concern that significant financial and human resource allocations to the universal periodic review mechanism had had an impact on the servicing of treaty bodies. In addition, they noted that resources were not available for webcasting and recording the public meetings of the treaty bodies.

Follow-up to concluding observations

19. Follow-up was considered as essential to ensure a continuing dialogue with States parties, transparency and the dissemination of information. Several treaty bodies had established follow-up procedures, identifying priority concerns in their concluding observations, with States parties being called on to report on these within a specified time limit. A rapporteur on follow-up was appointed by these committees. The Committee on the Rights of the Child followed up on concluding observations through country visits organized in partnership with United Nations agencies, in particular UNICEF.

20. Participants suggested that OHCHR regional offices and other United Nations agencies could follow up concluding observations. Follow-up was an area in which the inter-committee meeting could develop a harmonized approach, and it was agreed that the tenth inter-committee meeting would be devoted to discussion of follow-up to concluding observations and views of treaty bodies in order to, inter alia, identify best practices in respect of follow-up and possible areas of harmonization.

Role of the inter-committee meeting/meeting of chairpersons

21. Participants considered that there should be more continuity in the membership of the inter-committee meeting, as turnover of membership was high and thus many issues had to be reiterated. As to the decision-making powers of the inter-committee meeting, some participants considered that chairpersons had the authority to make decisions on behalf of their committees, as they had been designated by them to represent them. Others were of the view that they lacked the mandate to take decisions on behalf of committees. Although further discussion on the decision-making capacity of inter-committee meeting representatives was needed, with the majority agreeing that these representatives could take decisions on organizational matters, but decisions on substantive issues should be endorsed by

their respective committees. Most perceived the inter-committee meeting as a forum for discussion, and considered that its recommendations should be referred back to the individual treaty bodies for endorsement. Further information on a possible merger of the inter-committee meeting and meeting of chairpersons was also requested.

22. Participants proposed the creation of inter-committee meeting working groups on specific issues/subjects. The first session of the inter-committee meeting each year could identify key issues that could be discussed by each committee which could then be submitted at the second inter-committee meeting during that year.

V. Informal consultations with States parties

23. The ninth inter-committee meeting held informal consultations with States parties on 30 June 2009. Approximately 45 States parties attended the meeting.

24. The chairpersons highlighted new developments in their respective committees, and States welcomed the opportunity to engage in consultations with the inter-committee meeting, indicating that this provided a platform for dialogue and interaction. Some noted that they would have liked to receive the agenda well in advance of the meeting and to have been consulted on the topics for discussion, while others appreciated the well-structured agenda and were strongly in favour of continuous dialogue. All States stressed that the treaty bodies were crucial and fundamental for protecting and promoting human rights throughout the world.

25. Several States commended the treaty bodies for their continued engagement in the process of reform and their preparedness to test new approaches, adopt innovative working methods and explore areas of harmonization. The new procedure of the Committee against Torture of adopting lists of issues prior to the submission of a report was perceived as valuable and useful. The new working methods adopted by several of the newer treaty bodies were welcomed, and other treaty bodies were encouraged to use them. States agreed that there was room for improvement and encouraged further harmonization and coordination of the working methods of the treaty bodies, including in the consideration of reports and follow-up procedures, which would make the system more predictable, accessible and effective.

26. In terms of consideration of reports, some States suggested that there should be an equal proportion of time dedicated to questions and remarks by treaty body members and answers by the State party. The repetition of questions and lengthy statements should be avoided, and questions should be focused on matters addressed by the particular treaty.

27. Some States expressed concern at possible uneven treatment of countries in the reporting procedure, not only in terms of content but also procedure. They emphasized that the human rights situation in each country should be evaluated in an objective manner, focusing on the current situation. Concluding observations should reflect the commitment of the State expressed during the constructive dialogue, and fall within the parameters of the treaty concerned and not overstep these. Prioritization of recommendations was recommended as this would optimize implementation at the national level. A few States referred to the practice of the Committee on the Elimination of Racial Discrimination, which includes any comments of States parties on its concluding observations in an annex to its annual report, and encouraged others to follow this practice.

28. A number of States referred to the independence and integrity of the members of the treaty bodies and the importance of respect for their independence. They enquired about the criteria for the selection of country rapporteurs and suggested that these should be harmonized across the committees. Several States indicated that the selection of country rapporteurs was entirely within the discretion of individual treaty bodies. Some States emphasized that it was useful to know the identity of the country rapporteur(s) in advance to allow for an early engagement with them. While most treaty bodies were quite transparent in this respect, all were encouraged to follow their example. Some referred to the necessity of having open nomination processes for treaty body members at the national level.

29. Several States made reference to Human Rights Council resolution 9/8, on the effective implementation of international human rights instruments, including its reference to harmonization of working methods. Some States noted that they were not in favour of the proposal for a unified standing treaty body.

30. Follow-up to concluding observations was considered by many States to be essential, as well as a major challenge. Reference was made to treaty bodies that had developed good follow-up procedures and others were encouraged to follow their example. On the issue of delayed reporting, a few States noted that they did not see any value in considering implementation of a treaty in State party in the absence of a report. Treaty bodies should meet with non-reporting States bilaterally to promote a constructive dialogue and gain an understanding of the constraints they faced, including in respect of capacity and resources. Some States noted that the non-binding general comments adopted by the committees could be more user-friendly and therefore provide more guidance to States parties.

31. A few States referred to the information treaty bodies used as background to consideration of reports, and expressed regret that some sources were given priority over others. They highlighted the need for transparency in relation to sources of information and the creation of a system to ensure their credibility. Some States noted that although a structured framework for interaction with NGOs would be helpful, the treaty bodies were best placed to assess how to use the information available to them and the extent to which they wanted to engage NGOs. Several advised caution as there had been cases of reprisals against civil society organizations that had interacted with treaty bodies.

32. Some States considered that the inter-committee meeting should reflect on the best possible way that comments and suggestions put forward in the course of the informal consultations could be given due regard. A number of States expressed support for the quest of treaty bodies, including those more recently established, for more human and financial resources. States drew attention to the importance of the translation of documentation, indicating that if documents were not available in all of the official languages of the United Nations, access would be limited.

33. Committee members welcomed the comments and constructive criticism from the States parties, and noted that they were working towards a harmonized, not a unified, system. They looked forward to continued dialogue with the States parties and underlined that the inter-committee meeting informal consultations did not replace meetings between individual treaty bodies and States parties. They described the experiences of their individual committees in respect of selection of country rapporteurs and stressed that the concluding observations were adopted by each

committee as a whole, and were therefore the collective responsibility of the committee concerned.

34. Members noted that their primary source of information was the report and other material from States parties and encouraged respect for the harmonized reporting guidelines (including a limit of 60 pages for common core documents and 40 pages for periodic treaty-specific documents). They noted that they valued the information they received from a variety of sources. In order to maintain transparency, this information, including reports from NGOs, was posted on the OHCHR website, and thus made available to States parties.

35. Where the Durban Review Conference was concerned, some members noted that its outcome would be a basis for improving implementation of the Durban Declaration and Programme of Action. Further to a question raised about the possible use of new technologies in the reporting procedure, members noted that such technologies, including webcasting, were being explored, as were possibilities of further developing the website and adopting media strategies.

36. A number of States pointed to the complementary and mutually reinforcing nature of the universal periodic review mechanism and the treaty body system, but stressed that overlap and duplication should be avoided. Treaty body outputs provided an important part of the documentation before the universal periodic review. Several States noted that the universal periodic review mechanism had already been beneficial for and had provided prominence to the work of the treaty bodies. Numerous references had been made to issues relevant to the treaty body system in the context of the universal periodic review mechanism, including overdue reports, outstanding ratifications, including of the Optional Protocol to the Convention against Torture, and reservations. Some States were in favour of enhancing coordination between the two but considered that the rules governing the mechanisms should be followed; the intergovernmental nature of the universal periodic review mechanism procedure was distinct from that of the treaty bodies, which acquired their mandate from specific treaty provisions.

37. The point was made that the universal periodic review mechanism covered the whole range of human rights in a single exercise and the implementation of rights, even if the State party was not party to treaties. Specific and concise treaty body concluding observations, including recommendations, were very helpful for the universal periodic review mechanism process, and it was suggested that treaty bodies consider prioritizing their recommendations and provide information on non-reporting and follow-up. One State noted that treaty bodies should not make reference to voluntary commitments or pledges by States parties in the universal periodic review.

38. The treaty body members were encouraged to learn that their output had proven so valuable in the universal periodic review mechanism process. At the same time, some members noted that the documentation prepared for the mechanism, while uneven, had often been helpful for the treaty bodies to provide an overview of the situation in a particular State party. Noting that outputs from the mechanism, including pledges and commitments, could be used by the treaty bodies in their work, some members indicated that the input of treaty bodies into the mechanism went beyond the input of the mechanism into the work of the treaty bodies.

human rights institutions were a resource that had not yet been fully exploited by the committees. They also noted that procedures of committees relating to interaction of national human rights institutions differed.

43. The variety of national human rights institutions was noted, as was the fact that compliance with the Paris Principles, in particular the principle on independence, was seen as a sign of increased credibility and reliability. The strengthening of the International Coordinating Committee accreditation procedure had provided a context in which information on compliance with the Paris Principles could be provided. Participants encouraged national human rights institutions that did not adhere to those principles to become aware of them with a view to following them. The position of national human rights institutions as structures within the State but independent from the Government was emphasized, and participants emphasized that, in view of the growing number of sources of information, there was an urgent need to harmonize and standardize practices to ensure that these were credible and respected.

VII. Discussion on statistical information

44. The Secretariat reported on OHCHR work on using indicators to promote and monitor the implementation of human rights and the implementation of the recommendation on statistical information relating to human rights adopted by the seventh inter-committee meeting in June 2008, as well as the subregional and national validation workshops and consultations on indicators organized in 2008-2009, with the participation of Government agencies responsible for preparing States parties' reports, statistical agencies, United Nations country teams, national human rights institutions and NGOs. Follow-up workshops and activities had also taken place in several countries. A user manual, which responded to the seventh inter-committee meeting recommendation for the development of resource materials and tools to operationalize and disseminate the conceptual and methodological framework and lists of illustrative indicators outlined in HRI/MC/2008/3, was also being prepared.

45. Participants stressed the importance of indicators for the assessment of the implementation of human rights at the national level. They highlighted the need for further sensitization workshops and consultations and the development of practical tools to facilitate identification and use of contextually relevant indicators at the country level in compliance with human rights standards. The list of illustrative indicators identified was designed as a "toolbox" for country-level stakeholders initiating work in this area, and efforts had been made to keep the indicators simple, based on objective and transparent methodology. There was no attempt to formulate a list of indicators to be applied across all countries irrespective of their social, political and economic development, nor to create a global measure for cross-country comparisons of the realization of human rights. Benchmarks should be used together with indicators, and it was necessary to have relevant disaggregated indicators, including for persons with disabilities. The use of indicators in relation to the guidelines for States parties' reporting should also be considered further.

VIII. Draft points of agreement of the ninth inter-committee meeting

46. The ninth inter-committee meeting decided on the following draft points of agreement, to be transmitted to the twenty-first meeting of chairpersons:

Inter-committee meeting

(a) The ninth inter-committee meeting reiterated the view that inter-committee meetings provide a useful forum for discussing matters of mutual concern and the process of harmonization among the human rights treaty bodies.

(b) The ninth inter-committee meeting decided that the agenda items for the tenth inter-committee meeting would include, inter alia, follow-up to concluding observations and views and the universal periodic review mechanism of the Human Rights Council.

Universal periodic review mechanism of the Human Rights Council

(c) The ninth inter-committee meeting repeated its recommendation that the Secretariat routinely make available to the treaty bodies the compilations prepared by OHCHR for the universal periodic review mechanism, as well as the output of the reviews.

(d) The ninth inter-committee meeting reiterated the recommendations of previous meetings that human rights treaty bodies should consider further prioritizing concerns in their concluding observations so that these are appropriately reflected in the compilations that contain summaries of United Nations information, including treaty body information, and are prepared by OHCHR.

(e) The ninth inter-committee meeting repeated its recommendation that treaty bodies continue to refer to the pledges and commitments made by States parties in the context of universal periodic review during their dialogue with States parties and concluding observations.

(f) The ninth inter-committee meeting encouraged the universal periodic review mechanism to take into account the recommendations and views of treaty bodies. The ninth inter-committee meeting encouraged the Secretariat to prepare a compilation of how the output of treaty bodies has been used in the universal periodic review mechanism process and vice-versa.

Follow-up to concluding observations

(g) The ninth inter-committee meeting reiterated the recommendation of previous meetings that each treaty body consider adopting a procedure within a reasonable period of time to ensure effective follow-up to concluding observations, such as the appointment of a rapporteur on follow-up or any other appropriate mechanism.

(h) The ninth inter-committee meeting reiterated the recommendation of previous meetings that additional resources be allocated to follow-up activities,

including for workshops, meetings and, on the invitation of the State party concerned, country visits. The ninth inter-committee meeting also emphasized the important role played by national human rights institutions and civil society, including NGOs, in respect of follow-up at the national level.

(i) The ninth inter-committee meeting decided that the tenth inter-committee meeting would be devoted to discussion of follow-up to concluding observations and views of treaty bodies in order to, inter alia, identify best practices in respect of follow-up and consider possible areas of harmonization in this respect.

Independence of experts

(j) The ninth inter-committee meeting reiterated the solemn statement made by the eighth meeting of persons chairing the human rights treaty bodies (see A/52/507, paras. 67-68) in 1997 about the necessity to safeguard the independence of treaty body experts.

Consideration of a State party in the absence of a report

(k) The ninth inter-committee meeting noted the existing practice of various treaty bodies to review the implementation of their respective treaty in a State party in the absence of a report where it was long overdue. The ninth inter-committee meeting welcomed the information provided by the Secretariat on non-reporting States and looked forward to further consultation on that issue. It also encouraged OHCHR and other United Nations agencies to engage in capacity-building and technical assistance activities with a view to facilitating the timely submission of reports by States parties.

Informal consultations with States parties

(l) The ninth inter-committee meeting appreciated the dialogue with States parties and emphasized that the informal consultations with States parties provided an important platform for dialogue and interaction and recommended that meetings be convened with specific and focused agendas. The ninth inter-committee meeting highlighted that informal consultations complement informal consultations between individual treaty bodies and States parties.

Access to treaty body deliberations

(m) The ninth inter-committee meeting re-emphasized the necessity of making the work of treaty bodies more widely known and encouraged the treaty bodies that had not already done so to discuss media strategies and also work towards a common media strategy, with the assistance and advice of OHCHR. The inter-committee meeting also reiterated its recommendation that OHCHR explore alternative means of facilitating the broadest public access to the treaty body public examinations of periodic reports, including the possibility of webcasting, the use of other modern technologies, and making audio files readily available. The ninth inter-committee meeting highlighted the need for allocation of adequate financial resources in this respect.

Human and financial resources

(n) The ninth inter-committee meeting reiterated the recommendation of previous meetings that OHCHR should allocate additional human and financial resources for the Human Rights Treaties Branch in order to ensure effective and continuous support for the work of the treaty bodies.

Standardization of terminology and cross-referencing the work of other treaty bodies

(o) The ninth inter-committee meeting requested the Secretariat to prepare a comparative study on the use of terminology across the treaty bodies with a view to standardizing terminology to the furthest extent possible. The Secretariat was also requested once again to conduct a study on the extent to which treaty bodies cross-reference the work of other treaty bodies. The inter-committee meeting will revisit both issues at its eleventh meeting in 2010.

Identity of the country rapporteurs

(p) Noting the collective responsibility of each treaty body in adopting concluding observations and that the majority of treaty bodies make the identity of the country rapporteurs public, the ninth inter-committee meeting encouraged harmonization in this context.

Task forces

(q) The ninth inter-committee meeting invited each treaty body to consider discussing the practices relating to the formation of thematic and country task forces and the role of such task forces and to report back to the eleventh inter-committee meeting on this issue.

Accessibility

(r) The ninth inter-committee meeting welcomed the participation of the Chairperson and another member of the Committee on the Rights of Persons with Disabilities and emphasized that disability access is the concern of every Committee. The ninth inter-committee meeting recommended that all treaty bodies, OHCHR and other United Nations agencies improve access for persons with disabilities to the United Nations system, and in particular the treaty bodies, including through facilitating such access, inter alia, with respect to documentation.

Cooperation with national human rights institutions

(s) The ninth inter-committee meeting reiterated recommendations of previous meetings that treaty bodies continue their cooperation with national human rights institutions that conform to the Paris Principles (General Assembly resolution 48/134, annex). In addition, it encouraged continued dialogue with the bureau of the

International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights to enhance and strengthen the interaction between national human rights institutions and treaty bodies, in line with the current practice of certain treaty bodies.

(t) The ninth inter-committee meeting also encouraged States parties to allocate the necessary human and financial resources and to provide adequate protection to national human rights institutions.

Cooperation with non-governmental organizations

(u) The ninth inter-committee meeting underlined the great value of broad NGO participation in providing information to treaty bodies. The Secretariat was encouraged to facilitate the participation of national NGOs from all countries, in particular from developing countries.

(v) The ninth inter-committee meeting noted with appreciation the suggestions presented to the meeting in a joint NGO submission and invited each treaty body to consider the suggestions of relevance to it.

(w) The ninth inter-committee meeting reiterated recommendations of previous meetings that NGOs send information well in advance of treaty body sessions to allow committee members the opportunity to take those important submissions into account, including for the preparation of lists of issues, and to continue to disseminate the conclusions of the treaty bodies and report on their implementation. The ninth inter-committee meeting also recommended that NGOs continue to explore possibilities for submitting joint reports, including through NGO networks and coalitions. The ninth inter-committee meeting noted the diverse practices of treaty bodies with regard to the protection of the sources of information, including from possible reprisals.

(x) The ninth inter-committee meeting recommended that the Secretariat continue to enhance the contributions of NGOs to the work of treaty bodies, including by establishing a user-friendly master calendar that would provide information well in advance on the timetable for all the treaty bodies and for contributions relating to lists of issues and alternative reports for country reviews. The Secretariat was also encouraged to further improve the simplicity and accessibility of the OHCHR website, including the web pages of each treaty body and, in particular, that of the Committee on the Rights of Persons with Disabilities. The ninth inter-committee meeting also encouraged the treaty body secretariats that had not already done so to develop an information note on NGO participation in their respective treaty bodies.

Ratification of the international human rights treaties

(y) The ninth inter-committee meeting reiterated the recommendation of previous meetings that, in their constructive dialogue with States parties and in their concluding observations, all the treaty bodies should actively promote ratification of the other international human rights treaties, consistent with their working practice, in particular the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities, and the Optional Protocol to the International Covenant on Economic, Social, and Cultural Rights.

Statistical information relating to human rights

(z) The ninth inter-committee meeting welcomed the preparation of the user manual and related web tools to help operationalize and disseminate the lists of illustrative indicators outlined in HRI/MC/2008/3. In developing the resource materials, the ninth inter-committee meeting recommended that the Secretariat further consult States parties, treaty bodies, United Nations entities and other stakeholders at the country level in relation to reporting and follow-up to concluding observations. The Secretariat is requested to brief all treaty bodies periodically on this work, in particular on the development of the user manual and activities undertaken at country level.